



Federal Register

**Thursday,
November 30, 2000**

Part XIV

Department of Transportation

Semiannual Regulatory Agenda

DEPARTMENT OF TRANSPORTATION (DOT)

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Chs. I-III

23 CFR Chs. I-III

33 CFR Chs. I and IV

46 CFR Chs. I-III

48 CFR Ch. 12

49 CFR Subtitle A, Chs. I-VI

OST Docket 99-5129

Department Regulatory Agenda;
Semiannual Summary

AGENCY: Office of the Secretary, DOT.

ACTION: Semiannual regulatory agenda.

SUMMARY: The regulatory agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations, and completed actions of the Department. The agenda provides the public with information about the Department of Transportation's regulatory activity. It is expected that this information will enable the public to be more aware of and allow it to more effectively participate in the Department's regulatory activity. The public is also invited to submit comments on any aspect of this agenda.

FOR FURTHER INFORMATION CONTACT:

General

You should direct all comments and inquiries on the agenda in general to Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 7th Street SW., Washington, DC 20590, (202) 366-4723.

Specific

You should direct all comments and inquiries on particular items in the agenda to the individual listed for the regulation or the general rulemaking contact person for the operating administration in Appendix B.

Individuals who use a telecommunications device for the deaf (TDD) may call (202) 755-7687.

Table of Contents

Supplementary Information:

Background

Significant/Priority Rulemakings

Explanation of Information on the Agenda

Request for Comments

Purpose

Appendix A - Instructions for Obtaining Copies of Regulatory Documents

Appendix B - General Rulemaking Contact Persons

Appendix C - Public Rulemaking Dockets

Appendix D - Review Plans for Section 610 and Other Requirements

Agenda

SUPPLEMENTARY INFORMATION:

Background

Improvement of Government regulations is a prime goal of the Clinton Administration. There should be no more regulations than necessary, and those that are issued should be simpler, more comprehensible, and less burdensome. Regulations should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to assure that they continue to meet the needs for which they originally were designed.

To help the Department of Transportation (Department) achieve these goals and in accordance with Executive Order 12866 "Regulatory Planning and Review" (58 FR 51735; October 4, 1993) and the Department's Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), the Department prepares a semiannual regulatory agenda. It summarizes all current and projected rulemaking, reviews of existing regulations, and completed actions of the Department. These are matters on which action has begun or is projected during the succeeding 12 months or such longer period as may be anticipated or for which action has been completed since the last agenda.

The agendas are based on reports submitted by the offices initiating the rulemaking and are reviewed by the Department Regulations Council. The Department's last agenda was published in the **Federal Register** on April 24, 2000 (65 FR 23092). The next one is scheduled for publication in the **Federal Register** in April 2001.

For this edition of the Department's regulatory agenda, the most important significant regulatory actions are included in **The Regulatory Plan**, which

appears in part II of this issue of the **Federal Register**. The **Regulatory Plan** entries are listed in the table of contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

The Department has created an Internet site that provides general information about its rulemaking responsibilities and activities. It includes hypertext links to numerous other departmental sites providing helpful information about DOT regulation. The web address for this site is <http://regs.dot.gov>.

Significant/Priority Rulemakings

The agenda covers all rules and regulations of the Department, including those that establish conditions for financial assistance. We have classified rules as a DOT agency priority in the agenda if they are, essentially, very costly, controversial, or of substantial public interest under Executive Order 12866. All DOT agency priority rulemaking documents are subject to review by the Secretary of Transportation. If the Office of Management and Budget (OMB) decides a rule is subject to its review, we have classified it as significant in the agenda.

Explanation of Information on the Agenda

The format for this agenda is required by Office of Management and Budget memorandum of June 29, 2000.

First, the agenda is divided by initiating offices. Then, the agenda is divided into five categories: (1) Prerule stage, (2) proposed rule stage, (3) final rule stage, (4) long-term actions, and (5) completed actions. For each entry, the agenda provides the following information: (1) Its "significance"; (2) a short descriptive title; (3) its legal basis; (4) the related regulatory citation in the Code of Federal Regulations; (5) any legal deadline and, if so, for what action (e.g., NPRM, final rule); (6) an abstract; (7) a timetable, including the earliest expected date for a decision on whether to take the action; (8) whether the rulemaking will affect small entities and/or levels of government and, if so, which categories; (9) whether a Regulatory Flexibility Act (RFA) analysis is required (for rules that would have a significant economic impact on a substantial number of small entities); (10) a listing of any analyses an office will prepare or has prepared for the

DOT

action (With minor exceptions, DOT requires an economic analysis for all its rulemakings.); (11) an agency contact office or official who can provide further information; (12) a Regulation Identifier Number (RIN) assigned to identify an individual rulemaking in the agenda and facilitate tracing further action on the issue; (13) whether the action is subject to the Unfunded Mandates Reform Act; and (14) whether the action is major under the congressional review provisions of the Small Business Regulatory Enforcement Fairness Act. If there is information that does not fit in the other categories, it will be included under a separate heading entitled "Additional Information."

For nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules), to keep those requirements operationally current, we only include the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations; we do not list individual regulations.

In the "Timetable" column, we use abbreviations to indicate the particular documents being considered. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, and NPRM for Notice of Proposed Rulemaking. Listing a future date in this column does not mean we have made a decision to issue a document; it is the earliest date on which we expect to make a decision on whether to issue it. In addition, these dates are based on current schedules. Information received subsequent to the issuance of this agenda could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

Finally, a dot (•) preceding an entry indicates that the entry appears in the agenda for the first time.

Request for Comments

General

Our agenda is intended primarily for the use of the public. Since its inception, we have made modifications

and refinements that we believe provide the public with more helpful information, as well as make the agenda easier to use. We would like you, the public, to make suggestions or comments on how the agenda could be further improved.

Reviews

We also seek your suggestions on which of our existing regulations you believe need to be reviewed to determine whether they should be revised or revoked. We particularly draw your attention to the Department's review plan in Appendix D.

Regulatory Flexibility Act

The Department is especially interested in obtaining information on requirements that have a "significant economic impact on a substantial number of small entities" and, therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please submit them to us, along with your explanation of why they should be reviewed.

In accordance with the Regulatory Flexibility Act, comments are specifically invited on regulations that we have targeted for review under section 610 of the Act. The phrase (Section 610 Review) appears at the end of the title for these reviews. Please see Appendix D for the Department's section 610 review plans.

Federalism

Executive Order 13132 requires us to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" are defined in the Executive Order to include regulations that have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, we encourage State and local governments to provide us with information about how the Department's rulemakings impact them.

Plain Language

The President's "Plain Language in Government Writing" memorandum of June 1, 1998, requires that we use plain language in rulemaking documents. We try to write clearly. However, we solicit

your comments and suggestions for how to improve the clarity of our regulations and specific existing or proposed rules that need improvement.

Purpose

The Department is publishing this regulatory agenda in the **Federal Register** to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity and should result in more effective public participation. This publication in the **Federal Register** does not impose any binding obligation on the Department or any of the offices within the Department with regard to any specific item on the agenda. Regulatory action, in addition to the items listed, is not precluded.

Issued in Washington, DC, on October 23, 2000.

Rodney E. Slater,

Secretary of Transportation.

Appendix A - Instructions for Obtaining Copies of Regulatory Documents

To obtain a copy of a specific regulatory document in the agenda, you should communicate directly with the contact person listed with the regulation at the address below. We note that most if not all such documents, including the Semiannual Agenda, are available through our Internet-accessible docket at <http://dms.dot.gov>. See Appendix C for more information.

United States Coast Guard (USCG)

(Name of contact person), United States Coast Guard, 2100 2nd Street SW., Washington, DC 20593.

Federal Highway Administration (FHWA)

(Name of contact person), Federal Highway Administration, 400 7th Street SW., Washington, DC 20590.

Federal Motor Carrier Safety Administration (FMCSA)

(Name of contact person), Federal Motor Carrier Safety Administration, 400 7th Street SW., Washington, DC 20590.

Federal Railroad Administration (FRA)

(Name of contact person), Federal Railroad Administration, 400 7th Street SW., Washington, DC 20590.

DOT*National Highway Traffic Safety Administration (NHTSA)*

(Name of contact person), National Highway Traffic Safety Administration, 400 7th Street SW., Washington, DC 20590.

Federal Transit Administration (FTA)

(Name of contact person), Federal Transit Administration, 400 7th Street SW., Washington, DC 20590.

Saint Lawrence Seaway Development Corporation (SLSDC)

(Name of contact person), Saint Lawrence Seaway Development Corporation, 400 7th Street SW., Room 5424, Washington, DC 20590.

Research and Special Programs Administration (RSPA)

(Name of contact person), Research and Special Programs Administration, 400 7th Street SW., Washington, DC 20590.

Maritime Administration (MARAD)

Joel C. Richard, Secretary, Maritime Administration, 400 7th Street SW., Room 7210, Washington, DC 20590, (202) 366-5746.

Bureau of Transportation Statistics (BTS)

(Name of contact person), Bureau of Transportation Statistics, 400 7th Street SW., Room 7210, Washington, DC 20590.

Federal Aviation Administration (FAA)

The FAA has a mailing list system for notices and advance notices of proposed rulemaking (NPRMs and ANPRMs). Persons interested in obtaining future copies of all of those documents to be issued by the FAA or only of those concerning certain parts of the Federal Aviation Regulations should request a copy of Advisory Circular No. 11-2, which describes the application procedure, by calling (202) 267-3484 or by writing to: Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue SW., Washington, DC 20591.

Office of the Secretary (OST)

To obtain a copy of a specific regulatory document or to receive future copies of the Department's regulatory agenda write to: Assistant General Counsel for Regulation and Enforcement, C-50, Office of the General Counsel, Department of Transportation, Washington, DC 20590, (202) 366-4723.

Appendix B - General Rulemaking Contact Persons

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

USCG - Cmdr Mike Emge, Office of Chief Counsel, USCG Headquarters Building, Room 3406, 2100 2nd Street SW., Washington, DC 20593; telephone: (202) 267-1534.

FAA - Donald Byrne, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Avenue SW., Room 915A, Washington, DC 20591; telephone: (202) 267-3073.

FHWA - Tom Holian, Office of Chief Counsel, 400 7th Street SW., Room 4223, Washington, DC 20590; telephone: (202) 366-1383.

FMCSA - Suzanne O'Malley, Office of Chief Counsel, 400 7th Street SW., Room 4223, Washington, DC 20590; telephone: (202) 366-1367.

FRA - Colleen Brennan, Office of Chief Counsel, 400 7th Street SW., Mail Stop 10, Washington, DC 20590; telephone: (202) 493-6028.

NHTSA - Steve Wood, Office of Chief Counsel, 400 7th Street SW., Room 5219, Washington, DC 20590; telephone: (202) 366-2992.

FTA - Richard Wong, Office of Chief Counsel, 400 7th Street SW., Room 9316, Washington, DC 20590; telephone: (202) 366-4011.

SLSDC - Marc Owen, General Counsel's Office, 400 7th Street SW., Room 5424, Washington, DC 20590; telephone: (202) 366-0108.

RSPA - Edward Bonekemper, Office of Chief Counsel, 400 7th Street SW., Room 8405, Washington, DC 20590; telephone: (202) 366-4400.

MARAD - Francis Mardula, Jr., Office of Chief Counsel, Maritime Administration, 400 7th Street SW., Room 7221, Washington, DC 20590; telephone: (202) 366-5181.

BTS - David Mednick, 400 7th Street SW., Room 3430, Washington, DC 20590; telephone: (202) 366-8871.

OST - Neil Eisner, Office of Regulation and Enforcement, 400 7th Street SW., Room 10424, Washington, DC 20590; telephone: (202) 366-4723.

Appendix C - Public Rulemaking Dockets

The public may review or submit comments to the dockets for all of DOT via the Internet at the following address: <http://dms.dot.gov>. Examples of documents that may be in the dockets are proposed rules, public comments received, supporting analyses, studies, and reports.

The public also may review regulatory dockets at, or deliver comments on proposed rulemakings to, the Dockets Office at 400 7th Street SW., Room PL 401, Washington, DC 20590, 1-800-647-5527. Working Hours: 9:00-5:00.

Appendix D - Review Plans for Section 610 and Other Requirements**Part I - The Plan***General*

The Department of Transportation has long recognized the importance of regularly reviewing its existing regulations to determine whether they need to be revised or revoked. Our 1979 Regulatory Policies and Procedures require such reviews. We also have responsibilities under E.O. 12866 ("Regulatory Planning and Review") and section 610 of the Regulatory Flexibility Act to conduct such reviews. Finally, on June 1, 1998, the President also directed agencies to use plain language in new rules and to consider rewriting existing rules when we have the opportunity and resources permit. The Department is currently conducting a number of reviews of existing rules and is engaged in rulemaking actions resulting from these reviews.

Section 610 Review Plan

Section 610 requires that we conduct reviews of rules that (1) have been published within the last ten years and (2) have a "significant economic impact on a substantial number of small entities" (SEIOSNOSE). It also requires that we publish in the **Federal Register** each year a list of any such rules that we will review during the next year. To better comply with section 610, the Department has updated its regulatory review plan published on June 29, 1981, to accomplish a more systematic review of all of its regulations. The Office of the Secretary and each of the Department's Operating Administrations (except for FMCSA) have a 10-year review plan. These reviews are in accordance with section 610 of the Regulatory Flexibility Act.

DOT

Other Review Plans

All elements of the Department, except for the FMCSA and Federal Aviation Administration (FAA), have also elected to use this 10-year plan process to comply with the review requirements of the Department's Regulatory Policies and Procedures, Executive Order 12866, and the President's directive on plain language. FMCSA and FAA are using different approaches, which are described in Part II to this Appendix.

Changes to the Review Plan

Some reviews may be conducted earlier than scheduled. For example, to the extent resources permit, the plain language reviews will be conducted more quickly. Other events, such as accidents, may result in the need to conduct earlier reviews of some rules. Other factors may also result in the need to make changes; for example, we may make changes in response to public comment on this plan or in response to a Presidentially mandated review. If there is any change to the review plan, we will note the change in the following Unified Agenda. For any section 610 review, we will provide the required notice prior to the review.

Part II - The Review Process*The Analysis*

Generally, the agencies have divided their rules into 10 different groups and plan to analyze one group each year. For purposes of these reviews, a year will coincide with the fall-to-fall schedule for publication of the Agenda. Thus, Year 1 (1998) began in the fall of 1998 and ends in the fall of 1999; Year 2 (1999) begins in the fall of 1999 and ends in the fall of 2000; and so on. We request public comment on the timing of the reviews. For example, is there a reason for scheduling an analysis and review for a particular rule earlier than we have? Any comments concerning the plan or particular analyses can be submitted to the regulatory contacts listed in Appendix B, General Rulemaking Contact Persons.

Section 610 Review

The agency will analyze each of the rules in a given year's group to determine whether any rule has a SEIOSNOSE and, thus, requires review in accordance with section 610 of the Regulatory Flexibility Act. The level of analysis will, of course, depend on the nature of the rule and its applicability.

Publication of agencies' section 610 analyses list each fall in this Agenda provides the public with notice and an opportunity to comment consistent with the requirements of the Regulatory Flexibility Act. We request that public comments be submitted to us early in the analysis year concerning the small entity impact of the rules to help us in making our determinations.

In each October's Agenda, the agency will publish the results of the analyses it has completed during the previous year. For rules that had a negative finding on SEIOSNOSE, we will give a short explanation (e.g., "these rules only establish petition processes that have no cost impact" or "these rules do not apply to any small entities"). For parts, subparts or other discrete sections of rules that do have a SEIOSNOSE, we will announce that we will be conducting a formal section 610 review during the following 12 months. At this stage, we will add an entry to the Agenda in the prerulemaking section describing the review in more detail. We also will seek public comment on how best to lessen the impact of these rules and provide a name or docket to which public comments can be submitted. In some cases, the section 610 review may be part of another unrelated review of the rule. In such a case, we plan to clearly indicate which parts of the review are being conducted under section 610.

Other Reviews

The agency will also examine the specified rules to determine whether any other reasons exist for revising or revoking the rule or for rewriting the rule in plain language. In each October's Agenda, the agency will also publish information on the results of the examinations completed during the previous year.

FAA

The Federal Aviation Administration, in addition to reviewing its rules in accordance with the schedule below, has established a process by which the public is asked for its comments on which rules need review the most. Any information that the FAA receives in connection with its annual section 610 analyses would, of course, also be reviewed in the spirit of E.O. 12866. In addition, in response to a recommendation of the White House Commission on Aviation Safety and Security, the FAA has completed a review of all its existing regulations to

identify those in need of rewriting as performance-based or plain language regulations. The agency also reviewed ongoing regulatory projects and proposals to identify additional candidates for revision. In all, the agency reviewed 68 parts of the CFR, containing 3,884 sections, appendices, and Special Federal Aviation Regulations. In addition to using plain language in its current and future regulations, the FAA intends to revise those regulations identified in its study when it has the opportunity and resources to do so.

FMCSA

The Federal Motor Carrier Safety Administration has underway a comprehensive, multiyear project to develop modern, uniform safety regulations that are up-to-date, clear, concise, easier to understand, and more performance oriented. The FMCSA has held 11 public outreach meetings, announced in the **Federal Register**, to solicit public involvement in this review; a total of 110 industry and government safety representatives participated in 14 one-day focus group sessions; over 2,000 comments have been received in the public docket so far.

On November 23, 1994, the FMCSA published a final rule removing obsolete and redundant regulations identified through this review. In addition, on June 18, 1998, the FMCSA published another final rule (63 FR 33254) removing and amending additional provisions of the Federal Motor Carrier Safety Regulations identified through zero-base review.

The FMCSA is developing a notice of proposed rulemaking that will propose a complete revision of the Federal Motor Carrier Safety Regulations implementing the results of the FMCSA's zero-base review of those regulations. The NPRM will include a complete reorganization of the safety regulations and a rewrite of those regulations using plain language and a question-and-answer format to enhance the clarity and understandability of those regulations. In addition, the notice will focus the regulations on safety while adopting a performance-based approach to the regulations and reducing the paperwork associated with compliance with the regulations. The FMCSA believes that this effort will produce regulations which are simpler to understand and to comply with, especially for small motor

DOT

carriers. Because of these long-term, ongoing efforts, FMCSA is not currently reviewing these rules.

Part III- List of Pending Section 610 Reviews

The Agenda identifies the pending DOT Section 610 Reviews by inserting “(Section 610 Review)” after the title for

the specific entry. Also, a Governmentwide list of section 610 reviews can be located in an index at the end of the Agenda. For further information on the pending reviews, see the Agenda entries.

OFFICE OF THE SECRETARY SECTION 610 AND OTHER REVIEWS

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	14 CFR parts 200 through 212	1998	1999
2	14 CFR parts 213 through 232	1999	2000
3	14 CFR parts 234 through 254	2000	2001
4	14 CFR parts 255 through 298 and part 40	2001	2002
5	14 CFR parts 300 through 373	2002	2003
6	14 CFR parts 374 through 398	2003	2004
7	14 CFR part 399 and 49 CFR parts 1 through 11	2004	2005
8	49 CFR parts 17 through 28	2005	2006
9	49 CFR parts 29 through 39 and parts 41 through 89	2006	2007
10	49 CFR parts 91 through 99, 48 CFR parts 1201 through 1253, and new parts and subparts	2007	2008

Year 2 (Fall 1999) List of Rules analyzed and a summary of the results

14 CFR 217—Reporting traffic statistics by foreign air carriers in civilian scheduled, charter, and nonscheduled services

14 CFR 213—Terms, conditions and limitations of foreign air carrier permits

- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1996. If additional updates become desirable, changes will be proposed.

14 CFR 214—Terms, conditions, and limitations of foreign air carrier permits authorizing charter transportation only

- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1998. If additional updates become desirable, changes will be proposed.

14 CFR 215—Use and change of names of air carriers, foreign air carriers and commuter air carriers

- Section 610: No SEIOSNOSE. This rule applies to a substantial number of small entities but does not have a significant economic impact.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1988. If additional updates become desirable, changes will be proposed.

14 CFR 216—Commingle of blind sector traffic by foreign air carriers

- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1978. If additional updates become desirable, changes will be proposed.

14 CFR 218—Lease by foreign air carrier or other foreign person of aircraft with crew

- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1981. If additional updates become desirable, changes will be proposed.

14 CFR 221—Tariffs

- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1999. If additional updates become desirable, changes will be proposed.

14 CFR 222—Intermodal cargo services by foreign air carriers

- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1981. If additional updates become desirable, changes will be proposed.

14 CFR 223—Free and reduced—rate transportation

- Section 610: No SEIOSNOSE. This rule does not have a significant economic impact.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1983. If additional updates become desirable, changes will be proposed.

14 CFR 232—Transportation of mail, review of orders of postmaster general

- Section 610: No SEIOSNOSE. This rule applies to a substantial number of small entities but does not have a significant economic impact. Quite to the contrary, the regulation, authorized by 49 U.S.C. 41902(e), allows for those small entities that believe they have been aggrieved by the US Postal Service to seek relief from the Department of Transportation.

- Plain Language: Where confusing or wordy language is identified, we will make revisions.

- General: This rule was revised in 1976. If additional updates become desirable, changes will be proposed.

DOT**Year 3 (Fall 2000) List of Rules that will be analyzed during the next year**

- 14 CFR part 234 — Airline service quality performance reports
- 14 CFR part 240 — Inspection of accounts and property
- 14 CFR part 241 — Uniform system of accounts and reports for large certified air carriers
- 14 CFR part 243 — Passenger manifest information
- 14 CFR part 247 — Direct airport—to—airport mileage records
- 14 CFR part 248 — Submission of audit reports
- 14 CFR part 249 — Preservation of air carrier records
- 14 CFR part 250 — Oversales
- 14 CFR part 252 — Smoking aboard aircraft
- 14 CFR part 253 — Notice of terms of contract of carriage
- 14 CFR part 254 — Domestic baggage liability

**UNITED STATES COAST GUARD
SECTION 610 AND OTHER REVIEWS**

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	33 CFR Parts 1 through 124	1998	1999
2	33 CFR Parts 125 through 199	1999	2000
3	46 CFR Parts 1 through 40	2000	2001
4	46 CFR Parts 41 through 69	2001	2002
5	46 CFR Parts 70 through 89	2002	2003
6	46 CFR Parts 90 through 139	2003	2004
7	46 CFR Parts 140 through 155	2004	2005
8	46 CFR Parts 156 through 165	2005	2006
9	46 CFR Parts 166 through 199	2006	2007
10	New parts and subparts	2007	2008

Year 2 (Fall 1999) List of rules analyzed and a summary of the results

- 33 CFR part 125 — Identification credentials for persons requiring access to waterfront facilities or vessels
 - Section 610: No SEIOSNOSE. These rules have no impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 126 — Handling of Class 1 (explosive) materials or other dangerous cargoes within or contiguous to waterfront facilities
- 33 CFR part 127 — Waterfront facilities handling liquefied natural gas and liquefied hazardous gas
- 33 CFR part 128 — Security of passenger terminals
- 33 CFR part 133 — Oil spill liability trust fund; state access
 - Section 610: No SEIOSNOSE. These rules have no impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 135 — Offshore oil pollution compensation fund
- 33 CFR part 136 — Oil spill liability trust fund; claims procedures; designation source; and advertisement
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 138 — Financial responsibility for water pollution (vessels)
- 33 CFR part 140 — General
- 33 CFR part 141 — Personnel
- 33 CFR part 142 — Workplace safety and health
- 33 CFR part 143 — Design and equipment
- 33 CFR part 144 — Lifesaving appliances
- 33 CFR part 145 — Fire—fighting equipment
- 33 CFR part 146 — Operations
- 33 CFR part 147 — Safety zones
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 148 — General
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.

DOT

- Plain Language: USCG will rewrite as resources permit.
- General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 149 — Design, construction, and equipment
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 150 — Operations
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 160 — Ports and waterways safety — general
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 166 — Shipping safety fairways
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 167 — Offshore traffic separation schemes
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 174 — State numbering and casualty reporting systems
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 175 — Equipment requirements
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.
- 33 CFR part 177 — Correction of especially hazardous conditions
 - Section 610: No SEIOSNOSE. These rules have no significant impact on small entities.
 - Plain Language: USCG will rewrite as resources permit.
 - General: These rules are reviewed for minor non-substantive updates on an annual basis. No substantive revisions are necessary.

Year 3 (Fall 2000) List of rules that will be analyzed during the next year

- 33 CFR part 126 — Handling of Class 1 (explosive) materials or other dangerous cargoes within or contiguous to waterfront facilities
- 33 CFR part 127 — Waterfront facilities handling liquefied natural gas and liquefied hazardous gas
- 33 CFR part 128 — Security of passenger terminals
- 33 CFR part 135 — Offshore oil pollution compensation fund
- 33 CFR part 138 — Financial responsibility for water pollution (vessels)
- 33 CFR part 140 — General
- 33 CFR part 141 — Personnel
- 33 CFR part 142 — Workplace safety and health
- 33 CFR part 143 — Design and equipment
- 33 CFR part 144 — Lifesaving appliances
- 33 CFR part 145 — Firefighting equipment
- 33 CFR part 146 — Operations
- 33 CFR part 151 — Vessels carrying oil, noxious liquid substances, garbage, municipal or commercial waste, and ballast water
- 33 CFR part 153 — Control of pollution by oil or hazardous substances, discharge removal
- 33 CFR part 154 — Facilities transferring oil or hazardous materials in bulk
- 33 CFR part 155 — Oil or hazardous material pollution prevention regulations for vessels
- 33 CFR part 156 — Oil or hazardous material transfer operations
- 33 CFR part 157 — Rules for the protection of the marine environment relating to tank vessels carrying oil in bulk

DOT

33 CFR part 158 — Reception facilities for oil, noxious liquid substances, and garbage
 33 CFR part 161 — Vessel traffic management
 33 CFR part 162 — Inland waterways navigation regulations
 33 CFR part 163 — Towing of barges
 33 CFR part 164 — Navigation safety regulations
 33 CFR part 165 — Regulated navigation areas and limited access areas
 33 CFR part 168 — Escort requirements for certain tankers
 33 CFR part 173 — Vessel numbering and casualty and accident reporting
 33 CFR part 179 — Defect notification
 33 CFR part 181 — Manufacturer requirements
 33 CFR part 183 — Boats and associated equipment
 33 CFR part 184 — 186 Reserved
 33 CFR part 187 — Vessel identification system
 33 CFR parts 188 through 199 — Reserved
 46 CFR part 1 — Organization, general course and methods governing marine safety functions
 46 CFR part 2 — Vessel inspections
 46 CFR part 3 — Designation of oceanographic research vessels
 46 CFR part 4 — Marine casualties and investigations
 46 CFR part 5 — Marine investigation regulations — personnel action
 46 CFR part 6 — Waivers of navigation and vessel inspection laws and regulations
 46 CFR part 7 — Boundary lines
 46 CFR part 8 — Vessel inspection alternatives
 46 CFR part 9 — Extra compensation for overtime services
 46 CFR part 10 — Licensing of maritime personnel
 46 CFR part 12 — Certification of seamen
 46 CFR part 13 — Certification of tankermen
 46 CFR part 14 — Shipment and discharge of merchant mariners
 46 CFR part 15 — Manning requirements
 46 CFR part 16 — Chemical testing
 46 CFR part 24 — General provisions
 46 CFR part 25 — Requirements
 46 CFR part 26 — Operations
 46 CFR part 28 — Requirements for commercial fishing industry vessels
 46 CFR part 30 — General provisions
 46 CFR part 31 — Inspection and certification
 46 CFR part 32 — Special equipment, machinery, and hull requirements
 46 CFR part 34 — Firefighting equipment
 46 CFR part 35 — Operations
 46 CFR part 36 — Elevated temperature cargoes
 46 CFR part 38 — Liquefied flammable gases
 46 CFR part 39 — Vapor control systems

**FEDERAL AVIATION ADMINISTRATION
SECTION 610 REVIEW PLAN**

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	14 CFR parts 1 through 21	1998	1999
2	14 CFR parts 23 through 34	1999	2000
3	14 CFR parts 35 through 49	2000	2001
4 *	14 CFR parts 61 through 77	2001	2002
5	14 CFR parts 91 through 105	2002	2003
6	14 CFR parts 107 through 133	2003	2004
7	14 CFR parts 135 through 147	2004	2005
8	14 CFR parts 150 through 169	2005	2006
9	14 CFR parts 170 through 198	2006	2007
10	14 CFR parts 400 through 415	2007	2008

* FAA will also review all other rules dealing with alcohol and drugs

Year 1 (Fall 1998) List of Rules reviewed

14 CFR part 21- Certification procedures for products and parts

The FAA reviewed this rule to determine if it could be revised or revoked to lessen the impact on small entities.

Eleven sections (21.16, 21.21, 21.33, 21.35, 21.95, 21.97, 21.123, 21.125, 21.143, 21.157, and 21.183) were found to have a SEIOSNOSE. The agency found that no changes are warranted because these sections outline the minimum

DOT

requirements, in terms of type designs, inspections, and tests, etc., necessary to demonstrate the airworthiness of aircraft and aircraft parts.

Year 2 (Fall 1999) List of Rules analyzed and a summary of the results

- 14 CFR 23—Airworthiness standards: normal, utility, acrobatic, and commuter category airplanes
 - Section 610; FAA will conduct a formal 610 review during the following 12 months *
 - Plain Language: To the extent that the FAA's plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 25—Airworthiness standards: transport category airplanes
 - No SEIOSNOSE. There are no small business manufacturers of transport category airplanes.
 - Plain Language: To the extent that the FAA's plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 27—Airworthiness standards: normal, utility, acrobatic, and commuter category rotorcraft
 - Section 610; FAA will conduct a formal 510 review during the following 12 months *
 - Plain Language: To the extent that the FAA's plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 29—Airworthiness standards: transport category rotorcraft
 - Section 610; FAA will conduct a formal 510 review during the following 12 months *
 - Plain Language: To the extent that the FAA's plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 33—Airworthiness standards: aircraft engines
 - Section 610; FAA will conduct a formal 510 review during the following 12 months *
 - Plain Language: To the extent that the FAA's plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.
- 14 CFR 34—Fuel venting and exhaust emission requirements for turbine engine powered airplanes
 - Section 610; FAA will conduct a formal 510 review during the following 12 months *
 - Plain Language: To the extent that the FAA's plain language study identified a need for revisions in this part, revisions will be made when the FAA has the opportunity and resources to do so.

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

- 14 CFR part 35—Airworthiness standards: propellers
- 14 CFR part 36—Noise standards; aircraft type and airworthiness certification
- 14 CFR part 39—Airworthiness directives
- 14 CFR part 43—Maintenance, preventive maintenance; rebuilding and alteration
- 14 CFR part 45—Identification and registration marking
- 14 CFR part 47—Aircraft registration
- 14 CFR part 49—Recording of aircraft titles and security documents

* A description for this action will be included in the April 2001 agenda or published in a separate notice in the **Federal Register**.

**FEDERAL HIGHWAY ADMINISTRATION
SECTION 610 AND OTHER REVIEWS**

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	None	1998	1999
2	None	1999	2000
3	23 CFR parts 450, 657 and 771	2000	2001
4	23 CFR parts 1-260	2001	2002
5	23 CFR parts 420, 460-480	2002	2003
6	23 CFR part 500	2003	2004
7	23 CFR 600-656, 658-669	2004	2005
8	23 CFR parts 710-924	2005	2006
9	23 CFR parts 1200-1252	2006	2007
10	New parts and subparts	2007	2008

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

- 23 CFR part 450—On going review of regulations governing Statewide and Metropolitan Transportation Planning
- 23 CFR part 657 — On going review of certification of size and weight requirements
- 23 CFR part 771—On going review of regulations governing Assessment of Environmental Impact and Related procedures (NEPA Implementing Regulations)

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Federal-Aid Highway Program

The FHWA has adopted regulations in title 23 of the CFR, chapter I, related to the Federal-aid highway program. These regulations implement and carry out the provisions of Federal law relating to the administration of Federal aid for highways. The primary law authorizing Federal aid for highways is chapter 1 of title 23 of the USC. Section 145 of title 23 expressly provides that chapter 1 provides for a federally assisted State program. For this reason, the regulations adopted by the FHWA in title 23 of the CFR primarily relate to requirements that States must meet to receive Federal funds for the construction and other work related to highways.

Because the regulations in title 23 primarily relate to States, which are not defined as small entities under the Regulatory Flexibility Act, the FHWA believes that its regulations in title 23 do not have a significant economic

impact on a substantial number of small entities, with limited exceptions discussed below. The FHWA solicits public comment on this preliminary conclusion.

In title 23, part 657, "Certification of Size and Weight Enforcement," may have impacts on small governments or small businesses. The FHWA will publish a supplemental ANPRM to consider revisions to part 657. Public comment will be solicited specifically on whether and how part 657 may be revised to reduce burdens on small entities.

FHWA, jointly with the Federal Transit Administration, will be proposing revisions to the regulations currently codified at 23 CFR parts 450 and 771. These regulations will be issued in a new chapter IV of 23 CFR as "intermodal" rules and renumbered respectively as 23 CFR part 1410 (planning assistance and standards) and

23 CFR part 1420 and 1430 (environmental impact and related matters). In the course of developing the notice of proposed rulemaking for each of these regulations, the FHWA and FTA solicited comment on their potential for impact on small entities, including small governments. All comments will be analyzed accordingly and issues pertaining to the potential for impact will be addressed in the final regulations.

Development of these revised regulations represents part of the FHWA's efforts to implement the Transportation Equity Act for the 21st Century (TEA-21), which reauthorizes Federal surface transportation programs. Additional implementation efforts under TEA-21 may offer further opportunities to reduce the burden of existing regulations on small entities, and comment on this possibility is requested.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION SECTION 610 AND OTHER REVIEWS

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	49 CFR parts 501 through 526 and 571.213	1998	1999
2	49 CFR parts 571.131 and 571.220 through 571.222	1999	2000
3	49 CFR parts 591 through 594	2000	2001
4	49 CFR parts 571.101 through 571.110 and 571.135	2001	2002
5	49 CFR parts 529 through 579, except part 571	2002	2003
6	49 CFR parts 571.111 through 571.129 and parts 580 through 590	2003	2004
7	49 CFR part 571.201 through 571.212	2004	2005
8	49 CFR parts 571.214 through 571.219	2005	2006
9	49 CFR parts 571.223 through 571.304, part 500 and new parts and subparts under 49 CFR	2006	2007
10	23 CFR parts 1200's and 1300's and new parts and subparts under 23 CFR	2007	2008

Year 2 (Fall 1999) List of Rules analyzed and a summary of the results

49 CFR part 571.131-School bus pedestrian safety devices
 49 CFR part 571.217—Bus emergency exits and window retention and release
 49 CFR part 571.220—School bus rollover protection
 49 CFR part 571.221—School bus body joint strength
 49 CFR part 572.222—School bus passenger seating and crash protection

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

Part 591 — Implementation of vehicles and equipment subject to Federal safety, bumper and theft prevention standards
 Part 592 — Registered importers of vehicles not originally manufactured to conform to the Federal Motor Vehicle Safety Standards
 Part 593 — Determinations that a vehicle not originally manufactured to conform to the Federal Motor Vehicle Safety Standards is eligible for importation
 Part 594 — Schedule of fees authorized by 49 U.S.C. 30141

NHTSA Request for Comments

On September 13, 2000, NHTSA published in the **Federal Register** a

request for comments on whether these rules have a significant economic impact on a substantial number of small

entities. NHTSA received and granted a request to extend the comment period to November 13, 2000.

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FEDERAL RAILROAD ADMINISTRATION
SECTION 610 AND OTHER REVIEWS

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	49 CFR parts 200 through 201	1998	1999
2	49 CFR parts 207, 209, 211, 215, and 256	1999	2000
3	49 CFR parts 210, 212, 214, and 217	2000	2001
4	49 CFR parts 219	2001	2002
5	49 CFR parts 218 and 221	2002	2003
6	49 CFR parts 216 and 228 through 229	2003	2004
7	49 CFR parts 223 and 233	2004	2005
8	49 CFR parts 225, 231, and 234	2005	2006
9	49 CFR parts 235 through 236, 250, 260, and 266	2006	2007
10	49 CFR parts 213, 220, 230, 232, 239, 240, and 265	2007	2008

Year 2 (Fall 1999) List of Rules analyzed and a summary of the results

49 CFR part 207—Railroad police officers

- Section 610: No SEIOSNOSE. Railroads that qualify as small businesses do not generally employ railroad police officers. Economic impact would be minimal if they do choose to employ police officers.

- Plain Language: This rule is just over one page in length, and is very clearly written.

- General: No additional review is necessary.

49 CFR part 209—Railroad safety enforcement procedures

- Section 610: No SEIOSNOSE. Rule provisions are either procedural, or their economic impact is not significant.

- Plain Language: Text is clear and well-organized, but does contain enough typographical errors to warrant review. FRA plans to revise this rule in the near future, and has established RIN 2130-AB35 for this action.

- General: No additional review is necessary.

49 CFR part 211—Rules of practice

- Section 610: No SEIOSNOSE. These are agency procedural rules. Participation by all parties, including small entities, in these agency proceedings is voluntary.

- Plain Language: FRA's plain language review indicates no need for substantial revision. As resources permit, FRA will make changes as may be necessary. FRA plans to revise this rule in the near future, and has established RIN 2130-AB36 for this action.

- General: Participation in these procedures is voluntary, and the costs are minimal.

49 CFR part 215—Railroad freight car safety standards

- Section 610: There is a SEIOSNOSE. FRA will conduct a formal review to identify whether additional opportunities may exist to further reduce the burden on small railroads without compromising safety.

- Plain Language: FRA's plain language review indicates no need for substantial revision. As resources permit, FRA will make changes as may be necessary.

- General: Part 215 contains provisions (Appendix D) designed to reduce the burden on small railroads to the greatest extent possible without a negative safety impact. However, a SEIOSNOSE still exists.

49 CFR part 256 — Financial assistance for railroad passenger terminals

- This rule administers a program that is currently inactive because funds have not been appropriated for it. Therefore, it has no SEIOSNOSE and no further review is necessary.

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

49 CFR part 210 — Railroad noise emission compliance regulations

49 CFR part 212 — State safety participation regulations

49 CFR part 214 — Railroad workplace safety

49 CFR part 217 — Railroad operating rules

FEDERAL TRANSIT ADMINISTRATION
SECTION 610 AND OTHER REVIEWS

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	None	1998	1999
2	None	1999	2000
3	49 CFR part 661	2000	2001
4	49 CFR parts 653 and 654	2001	2002
5	49 CFR part 665	2002	2003

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

49 CFR part 661 — Buy America requirements — Surface Transportation Assistance Act of 1982, as amended

DOT

MARITIME ADMINISTRATION
SECTION 610 AND OTHER REVIEWS

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	46 CFR parts 201 through 207	1998	1999
2	46 CFR parts 221 through 232	1999	2000
3	46 CFR parts 249 through 295	2000	2001
4	46 CFR parts 298	2001	2002
5	46 CFR parts 307 through 310	2002	2003
6	46 CFR parts 315 through 399	2003	2004
7	46 CFR part 340 and 347	2004	2005
8	46 CFR parts 349 through 380	2005	2006
9	46 CFR parts 381 through 387	2006	2007
10	46 CFR parts 390 through 391	2007	2008

Year 2 (Fall 1999) List of Rules analyzed and a summary of the results.

- 46 CFR part 221-Regulated transactions involving documented vessels and other maritime interests
- Section 610: No SEIOSNOSE. Some small entities may be affected, but the economic impact on small entities will not be significant.
 - Plain Language: In an upcoming rulemaking, MARAD will rewrite the regulations using plain language techniques.
 - General: We will continue our review and schedule this part for revision as appropriate.
- 46 CFR part 232 — Uniform Financial Reporting Requirements
- Section 610: No SEIOSNOSE. These rules are procedural and have minimal, if any, cost impact.
 - Plain Language: As resources permit, MARAD will rewrite the regulations using plain language techniques.
 - General: MARAD staff concluded that no changes are necessary.

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

- 46 CFR 249 Approval of underwriters for marine hull insurance
- 46 CFR 251 Application for subsidies and other direct financial aid
- 46 CFR 252 Operating—differential subsidy for bulk cargo vessels engaged in worldwide services
- 46 CFR 272 Requirements and procedures for conducting condition surveys and administering maintenance and repair subsidy
- 46 CFR 276 Construction—differential subsidy repayment
- 46 CFR 277 Domestic and foreign trade; interpretations
- 46 CFR 280 Limitations on the award and payment of operating—differential subsidy for liner operators
- 46 CFR 281 Information and procedure required under liner operating—differential subsidy agreements
- 46 CFR 282 Operating—differential subsidy for liner vessels engaged in essential services in the foreign commerce of the United States
- 46 CFR 283 Dividend policy for operators receiving operating—differential subsidy
- 46 CFR 287 Establishment of construction reserve funds
- 46 CFR 289 Insurance of construction—differential subsidy vessels, operating—differential subsidy vessels and of vessels sold or adjusted under the Merchant Ship Sales Act 1946
- 46 CFR 295 Maritime Security Program

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
SECTION 610 AND OTHER REVIEWS

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	49 CFR sections 171.15, 171.16 (incident reports)	1998	1999
2	49 CFR parts 106 and 107 (hazardous materials safety procedures), 171 (general hazmat requirements), and 190 (pipeline safety procedures)	1999	2000
3	49 CFR parts 174, 177 (rail and highway carriage) and 191 (gas pipeline transportation reports)	2000	2001
4	49 CFR parts 176 (vessel carriage) and 199 (pipeline employee drug and alcohol testing)	2001	2002
5	49 CFR parts 172, 173, 174, 175, 176, 177, and 178 (radioactive material) and 199 (pipeline employee drug and alcohol testing)	2002	2003
6	49 CFR parts 172, 173, 174, 176, and 178 (explosives), and 193 (liquefied natural gas facilities), and parts 172, 173, 178, and 180 (cylinders)	2003	2004
7	49 CFR 173 (shipper requirements) and 194 (onshore oil pipeline response plans)	2004	2005
8	49 CFR parts 178 (non-bulk packaging) and 195 (hazardous liquid pipeline transportation)	2005	2006
9	49 CFR parts 178 through 180 (bulk packaging) and 198 (State pipeline safety grants)	2006	2007
10	49 CFR parts 172 (communications, emergency response, training and hazmat table) and 175 (air carriage)	2007	2008

DOT

Year 2 (Fall 1999) List of Rules analyzed and a summary of the results

49 CFR part 106 — Procedures for adoption of rules

- Section 610: No SEIOSNOSE. These rules are procedural and have minimal, if any, cost impact.
- Plain Language: As resources permit, RSPA will rewrite the regulations using plain language techniques.
- General: We will continue our review and schedule this part for revision as appropriate.

49 CFR part 107 — Hazardous materials program procedures

- Section 610: No SEIOSNOSE. These rules are procedural and may affect some small entities, but the cost impact is not significant.
- Plain Language: As resources permit, RSPA will rewrite the regulations using plain language techniques.
- General: We will continue our review and schedule this part for revision as appropriate.

49 CFR part 171 — General hazmat requirements

- Section 610: No SEIOSNOSE. Most of the provisions of this part serve to reduce the economic impact on the regulated community. Part 171 assures consistency between the HMR and regulations issued by other federal agencies; facilitates international transportation and trade; incorporates industry consensus standards into the HMR; and provides explanatory material and information to help the HMR easier to read and understand.
- Plain Language: Sections 171.1 and 171.2 are being rewritten in plain language under Docket HM-223. Commenters suggested that plain language rewrite of the remainder of this part is not necessary; therefore, no rewrite is currently planned. If sections of this part are amended as part of ongoing rulemakings, those sections will be rewritten in plain language.
- General: As a result of 610/Plain language review of part 171 for year 1, no additional reviews are necessary.

49 CFR part 190—Pipeline safety procedures

- Section 610: No SEIOSNOSE. These rules are procedural and have minimal, if any, cost impact.
- Plain Language: As resources permit, RSPA will rewrite the regulations using plain language techniques.
- General: Reviewed pipeline safety program procedures and proposed changes to clarify and streamline enforcement procedures.

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

49 CFR part 174 — Carriage by rail

49 CFR part 177 — Carriage by public highway

49 CFR part 191 — Gas pipeline transportation reports

**BUREAU OF TRANSPORTATION STATISTICS
SECTION 610 AND OTHER REVIEWS**

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	14 CFR parts 241, Form 41	1998	1999
2	14 CFR parts 241, Schedule T-100, and part 217	1999	2000
3	14 CFR parts 298, 49 CFR 1420	2000	2001
4	14 CFR parts 241, section 19-7	2001	2002
5	14 CFR parts 291	2002	2003
6	14 CFR parts 234	2003	2004
7	14 CFR part 249	2004	2005
8	14 CFR part 248	2005	2006
9	14 CFR part 250	2006	2007
10	14 CFR part 374a, ICAO	2007	2008

Year 2 (Fall 1999) List of Rules analyzed and a summary of the results

14 CFR part 241, Schedule T-100-U.S. Air Carrier Traffic and Capacity Data by Nonstop Segment and On-Flight Market

- Section 610: No SEIOSNOSE. It has a minor impact.
 - Plain Language: This rule is being reviewed as part of an overall aviation data requirements review and modernization program, which will also take into account the plain language initiative.
 - General: This rule is being reviewed as part of an overall aviation data requirements review and modernization program.
- 14 CFR part 217—Reporting Traffic Statistics by Foreign Air Carriers in Civilian Scheduled, Charter, and Non—Scheduled Services

- Section 610: No SEIOSNOSE. The data collection applies to large, foreign carriers.
- Plain Language: This rule is being reviewed as part of an overall aviation data requirements review and modernization program, which will also take into account the plain language initiative.
- General: This rule is being reviewed as part of an overall aviation data requirements review and modernization program.

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

14 CFR part 298, subpart F — Reporting requirements for small certified air carriers

49 CFR part 1420 — Reports of motor carriers

DOT

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION
SECTION 610 AND OTHER REVIEWS

Year	Regulations to be Reviewed	Analysis Year	Review Year
1	33 CFR parts 401 through 403	1998	1999

Year 2 (Fall 1999) List of Rules analyzed and a summary of the results

None

Year 3 (Fall 2000) List of Rules that will be analyzed during the next year

None

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2314	+Computer Reservations System Regulations Comprehensive Review	2105-AC65
2315	+Aviation Data Requirements Review and Modernization Program	2105-AC71
2316	Filing Periods for Responsive Pleadings; Rules of Practice in Aviation Economic Proceedings	2105-AC73
2317	Participation by Disadvantaged Business Enterprises in Department of Transportation Programs: Memorandum of Understanding With Small Business Administration; Uniform Forms and Other Revisions	2105-AC88
2318	Participation by Disadvantaged Business Enterprises in Department of Transportation Programs	2105-AC91
2319	Nondiscrimination in Federally Assisted Programs	2105-AC96
2320	Nondiscrimination on the Basis of Disability in Air Travel	2105-AC97

+ DOT-designated significant regulation

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2321	Direct Air Carrier Responsibility for Returning Stranded Charter Passengers	2105-AA40
2322	Air Travelers: Age Discrimination	2105-AA45
2323	Direct Flights	2105-AA73
2324	Diversion of Flights Within a Metropolitan Area	2105-AA78
2325	Simplified Aviation Exemption Procedures	2105-AA82
2326	Baggage Liability Notices in International Air Transportation	2105-AA84
2327	Simplified Airline Counter-Sign Notices	2105-AA88
2328	+Price Advertising	2105-AB50
2329	+Procedures for Transportation Workplace Drug-Testing Programs	2105-AB71
2330	+Transportation for Individuals With Disabilities (Accessibility Guidelines)	2105-AC06
2331	Domestic Baggage Liability	2105-AC07
2332	Use of Direct Final Rulemaking	2105-AC11
2333	Overbooking of Flights: Elimination of Airport Notice Signs	2105-AC45
2334	Fees and Charges for Special Services: Reinvention	2105-AC47
2335	+Update of Drug and Alcohol Procedural Rules (Rulemaking Resulting From a Section 610 Review)	2105-AC49
2336	Amendments to Modal Alcohol Testing Rules: Pre-Employment Testing	2105-AC50
2337	+Participation by Disadvantaged Business Enterprises in Airport Concessions	2105-AC76
2338	Electronic Filing Option in DOT Proceedings	2105-AC79
2339	Nondiscrimination in Air Travel; Boarding Where Level-Entry Is Unavailable	2105-AC81
2340	Standard Time Zone Boundary in the State of Nevada: Proposed Relocation	2105-AC82
2341	+Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations	2105-AC83
2342	+Americans With Disabilities Act Accessibility Standards	2105-AC86
2343	Participation by Minority Business Enterprises in Department of Transportation Financial Assistance Programs: Threshold Requirements and Other Technical Revisions	2105-AC89
2344	Statement of Policy on Alternative Dispute Resolution	2105-AC94
2345	Over the Road Buses: Extension of Due Date for Information Collection	2105-AC98

+ DOT-designated significant regulation

DOT

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2346	Policy Statement on Airline Preemption	2105-AA46
2347	+Statement of Enforcement Policy on Rebating	2105-AB39
2348	+Accessibility of Passenger Vessels to Individuals With Disabilities	2105-AB87
2349	Use of Oxygen by Air Carrier Passengers	2105-AC29
2350	+Domestic Passenger Manifest Information	2105-AC62
2351	+Enforcement Policy: Unfair Exclusionary Conduct in the Air Transportation Industry	2105-AC72

+ DOT-designated significant regulation

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identification Number
2352	Smoking Aboard Aircraft	2105-AB58
2353	Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations	2105-AC02
2354	Repeal of Traffic Restrictions to North Korea	2105-AC70
2355	Standard Time Zone Boundary in the State of Kentucky; Proposed Relocation	2105-AC80
2356	Credit Assistance for Surface Transportation Projects	2105-AC84
2357	Smoking Aboard Aircraft	2105-AC85
2358	Credit Assistance for Surface Transportation Projects	2105-AC87
2359	Participation by Minority Business Enterprises in DOT Programs; 2000 Inflationary Adjustment of Size Limits on Small Businesses Participating in DOT's DBE Program	2105-AC90
2360	Civil Penalties	2105-AC92
2361	+Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance	2105-AC95

+ DOT-designated significant regulation

U.S. Coast Guard—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2362	Vessel Identification System (USCG-1999-6420)	2115-AD35
2363	Reporting Marine Casualties (USCG-2000-6927)	2115-AD98
2364	+Marine Transportation-Related Facility Response Plans for Hazardous Substances (USCG-1999-5705) (Reg Plan Seq. No. 93)	2115-AE87
2365	+Tank Vessel Response Plans for Hazardous Substances (USCG-1998-4354) (Reg Plan Seq. No. 94)	2115-AE88
2366	Numbering of Undocumented Barges (CGD 93-091) (USCG-1998-3798)	2115-AF13
2367	Outer Continental Shelf Activities (USCG-1998-3868)	2115-AF39
2368	Carriage of Bulk Solid Materials Requiring Special Handling (USCG-2000-6932)	2115-AF47
2369	Fire-Suppression Systems and Voyage-Planning for Towing Vessels (USCG 2000-6931)	2115-AF53
2370	Pollution Prevention for Oceangoing Ships and Certain Vessels in Domestic Service (USCG-2000-7641) Previous Docket (CGD 97-072)	2115-AF56
2371	+Salvage and Firefighting Equipment; Vessel Response Plans (USCG-1998-3417) (Reg Plan Seq. No. 95)	2115-AF60
2372	Deepwater Ports (USCG-1998-3884)	2115-AF63
2373	Certification of Navigation Lights for Uninspected Commercial Vessels and Recreational Vessels (CGD 97-060)(USCG 1999-6580).	2115-AF70
2374	Vessel Documentation (USCG-1998-4784)	2115-AF71
2375	Revision to Federal Blood Alcohol Concentration (BAC) Standard for Recreational Vessel Operators (USCG-1998-4593)	2115-AF72
2376	Vessel Traffic Service Lower Mississippi River (USCG-1998-4399)	2115-AF75
2377	Vapor Control Systems (USCG-1999-5150)	2115-AF78
2378	Training and Qualifications for Personnel on Passenger Ships (USCG 1999-5610)	2115-AF83
2379	Raising the Threshold of Property Damage for Reports of Accidents Involving Recreational Vessels (USCG-1999-6094)	2115-AF87
2380	Citizenship Standards for Vessel Ownership and Financing; American Fisheries Act (USCG-1999-6095)	2115-AF88

DOT

U.S. Coast Guard—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2381	Marine Shipboard Electrical Cable Standards (USCG-1999-6096)	2115-AF89
2382	Great Lakes Pilotage Rates (USCG-1999-6098)	2115-AF91
2383	Safety Zone; Outer Continental Shelf Platforms in the Gulf of Mexico (CGD08-99-023)	2115-AF93
2384	Revision of Auxiliary Regulations (USCG-1999-6712)	2115-AF94
2385	Alternate Hull Examination Program for Certain Passenger Vessels, and Underwater Surveys for Passenger, Nautical School, and Sailing School Vessels (USCG-2000-6858)	2115-AF95
2386	Cargo Securing on Vessels Operating in U.S. Waters (USCG-2000-7080)	2115-AF97
2387	Chemical Testing (USCG-2000-7759)	2115-AG00

+ DOT-designated significant regulation

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

U.S. Coast Guard—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2388	Permits for the Transportation of Municipal and Commercial Wastes (CGD 89-014)(USCG-2000-7442)	2115-AD23
2389	+Discharge-Removal Equipment for Vessels Carrying Oil (USCG-1998-4858)	2115-AD66
2390	Handling of Explosives or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities (CGD 92-026)(USCG-1998-4302)	2115-AE22
2391	Licensing and Manning for Officers of Towing Vessels (CGD 94-055)(USCG 1999-6224)	2115-AF23
2392	Implementation of the National Invasive Species Act of 1996 (CGD 97-068)(USCG-1998-3423)	2115-AF55
2393	Rules of Practice, Procedure, and Evidence for Administrative Proceedings of the Coast Guard (USCG 1998-3472)	2115-AF59
2394	Safety of Uninspected Passenger Vessels Under the Passenger Vessel Safety Act of 1993 (USCG-1999-5040) ..	2115-AF69
2395	Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK (CGD17-99-002)	2115-AF81
2396	Noxious Liquid Substances, Obsolete Hazardous Materials in Bulk, and Current Hazardous Materials in Bulk (USCG-2000-7079)	2115-AF96
2397	Allowing Alternative Source to Incandescent Light in Private Aids to Navigation (USCG-2000-7466)	2115-AF98
2398	Inland Waterways Navigation Regulations: Ports and Waterways Safety (CGD 09-00-010)	2115-AG01

+ DOT-designated significant regulation

U.S. Coast Guard—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2399	Safety/Security Zone Regulations	2115-AA97
2400	Special Anchorage Areas/Anchorage Grounds Regulations	2115-AA98
2401	Claims Procedures Under the Oil Pollution Act of 1990 (CGD 91-035)	2115-AD90
2402	+Escort Vessels for Certain Tankers (CGD 91-202)	2115-AE10
2403	State Access to the Oil Spill Liability Trust Fund (CGD 92-014)	2115-AE19
2404	Regatta Regulations	2115-AE46
2405	Drawbridge Regulations	2115-AE47
2406	+Escort Vessels in Certain U.S. Waters (CGD 91-202a)	2115-AE56
2407	Regulated Navigation Areas	2115-AE84
2408	Regattas and Marine Parades (CGD 95-054)	2115-AF17
2409	+Implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW) (CGD 95-062)	2115-AF26
2410	Propeller Injury Prevention Aboard Rental Boats (CGD 95-041)	2115-AF28
2411	Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan (CGD 95-015) (USCG-1998-4623)	2115-AF38
2412	+Emergency Response Plans for Passenger Vessels (USCG-1998-3473)	2115-AF61
2413	Commercial Diving Operations (USCG-1998-3786)	2115-AF64
2414	+Improvements to Maritime Safety Puget Sound-Area Waters (USCG-1998-4501)	2115-AF68
2415	Barges Carrying Bulk Liquid Hazardous Material (USCG-1999-5117) (Section 610 Review)	2115-AF77

DOT

U.S. Coast Guard—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2416	Mandatory Ship Reporting System Off the Northeast and the Southeast Coasts of the United States (USCG-1999-5525)	2115-AF82

+ DOT-designated significant regulation

U.S. Coast Guard—Completed Actions

Sequence Number	Title	Regulation Identification Number
2417	Amendments to Hull Identification Numbers for Recreational Boats (CGD 92-065)	2115-AE37
2418	Traffic Separation Scheme in the Approaches to Delaware Bay (CGD 97-004)	2115-AF42
2419	+Emergency Control Measures for Tank Barges (USCG-1998-4443)	2115-AF65
2420	Fire-Protection Measures for Towing Vessels (USCG-1998-4445)	2115-AF66
2421	+Response Plans for Marine Transportation-Related Facilities Handling Non-Petroleum Oils (1999-USCG-5149)	2115-AF79
2422	Traffic Separation Schemes: Off San Francisco, in the Santa Barbara Channel, in the Approaches to Los Angeles-Long Beach, California (USCG-1999-5700)	2115-AF84
2423	Oil Pollution Act of 1990 Phase-Out Requirements for Single Hull Tank Vessels (USCG-1999-6164)	2115-AF86
2424	Federal Pilotage for Foreign-Trade Vessels in Maryland (USCG 1999-6097)	2115-AF90
2425	Traffic Separation Scheme; In the Approaches to Los Angeles-Long Beach, California (USCG-2000-7695)	2115-AF99

+ DOT-designated significant regulation

Federal Aviation Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2426	+Retrofit of Improved Seats in Air Carrier Transport Category Airplanes	2120-AC84

+ DOT-designated significant regulation

Federal Aviation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2427	+Improved Water Survival Equipment	2120-AC72
2428	+Corrosion Control Program	2120-AE92
2429	+Flight Operational Quality Assurance Program (Reg Plan Seq. No. 96)	2120-AF04
2430	+National Air Tour Safety Standards	2120-AF07
2431	+Overflights of Units of the National Park System (Reg Plan Seq. No. 97)	2120-AF46
2432	+Flight Crewmember Duty Period Limitations, Flight Time Limitations, and Rest Requirements (Reg Plan Seq. No. 98)	2120-AF63
2433	+False and Misleading Statements Regarding Aircraft Parts	2120-AG08
2434	Licensing and Safety Requirements for Launch	2120-AG37
2435	+Child Restraint Systems	2120-AG43
2436	+Air Tour Operations in the State of Hawaii	2120-AG44
2437	Revision of Air Carrier Crewmember and Training Regulations	2120-AG57
2438	Use of Electronic Signatures	2120-AG63
2439	Training in the Recognition of Hazardous Material	2120-AG75
2440	+Traffic Alert and Collision Avoidance Systems	2120-AG90
2441	+Improved Flammability Standards for Thermal/Acoustic Insulation Materials Used in Transport Category Airplanes	2120-AG91
2442	FAR/JAR Harmonization Actions	2120-AG92
2443	+Air Tour Operations in State of Hawaii	2120-AH02
2444	Noise Certification Standards for Subsonic Jet Airplanes and Subsonic Transport Category Large Airplanes	2120-AH03
2445	+Fractional Ownership	2120-AH06
2446	+Flight Simulation Device Qualification	2120-AH07

DOT

Federal Aviation Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2447	+Streamlined Enforcement Test and Evaluation Program; Security; Antidrug and Alcohol Misuse Prevention Programs; Unruly Passengers	2120-AH09
2448	Noise Certification Regulations for Helicopters	2120-AH10

+ DOT-designated significant regulation

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Federal Aviation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2449	Objects Affecting Navigable Airspace	2120-AA09
2450	Miscellaneous Amendments	2120-AA50
2451	+Part 145 Review: Repair Stations	2120-AC38
2452	+Sole Radio Navigation System; Minimum Standards for Certification	2120-AD26
2453	+Revision of Part 108, Airplane Operator Security	2120-AD45
2454	+Revision of Part 107, Airport Security	2120-AD46
2455	+Aging Aircraft Safety	2120-AE42
2456	Flight Attendant English Language Proficiency	2120-AE98
2457	+Revised Access to Type III Exits	2120-AF01
2458	Los Angeles, CA, Class B Airspace	2120-AF16
2459	Operational and Structural Difficulty Reports	2120-AF71
2460	Bird Ingestion Standards	2120-AF84
2461	License Requirements for Operation of a Launch Site	2120-AG15
2462	Revised Precision Approach Landing Systems Policy	2120-AG16
2463	+Fees for Air Traffic Services for Certain Flights Through U.S.-Controlled Airspace and for Aeronautical Studies ...	2120-AG17
2464	+Protection of Voluntarily Submitted Information	2120-AG36
2465	+Screening of Checked Baggage on Flights Within the United States	2120-AG51
2466	Parachute Operations	2120-AG52
2467	+Policy Regarding Airport Rates and Charges	2120-AG58
2468	+Transport Airplane Fleet Fuel Tank Ignition Source Review; Flammability Reduction, and Maintenance and Inspection Requirements	2120-AG62
2469	Commercial Space Transportation Reusable Launch Vehicle and Reentry Licensing Regulations	2120-AG71
2470	Revised Landing Gear Shock Absorption Test Requirements	2120-AG72
2471	Financial Responsibility Requirements for Licensed Reentry Activities	2120-AG76
2472	Revision of Braking Systems Airworthiness Standards to Harmonize With European Airworthiness Standards for Transport Category Airplanes	2120-AG80
2473	+Certification of Screening Companies	2120-AG84
2474	High Density Rule	2120-AG85
2475	+Revisions to Digital Flight Data Recorder Regulations for B-737 Airplanes and for Part 125 Operators	2120-AG87
2476	+Certification Procedures for Products and Parts (Section 610 Review)	2120-AG93
2477	General Rulemaking Procedures	2120-AG95
2478	+Certification of Airports (Reg Plan Seq. No. 99)	2120-AG96
2479	Special Flight Rules in the Vicinity of Grand Canyon National Park	2120-AG97
2480	Fire Protection Requirements for Powerplant Installations on Transport Category Airplanes	2120-AH00
2481	Advanced Qualification Program	2120-AH01
2482	Revisions to Digital Flight Data Recorder Requirements for Airbus Airplanes	2120-AH08

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References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Federal Aviation Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2483	+Fuel System Vent Fire Protection	2120-AA49
2484	Airworthiness Standards; Crash-Resistant Fuel Systems	2120-AA57
2485	IFR Altitudes; Miscellaneous Amendments	2120-AA63

DOT

Federal Aviation Administration—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2486	Airworthiness Directives	2120-AA64
2487	Standard Instrument Approach Procedures; Miscellaneous Amendments	2120-AA65
2488	Airspace Actions	2120-AA66
2489	Low Fuel Quantity Alerting System	2120-AB46
2490	Aircraft Engines: Fuel and Induction Systems	2120-AB76
2491	Review of Part 47, Aircraft Registration, and Part 49, Recording of Aircraft Titles and Security Documents	2120-AC17
2492	Installation of Crashworthy Fuselage Fuel Tanks and Fuel Lines	2120-AC87
2493	+Drug Enforcement Assistance	2120-AD16
2494	Airplane Engine Cowling Retention	2120-AD34
2495	1-G Stalling Speed as a Basis for Compliance With Part 25 of the Federal Aviation Regulations	2120-AD40
2496	+Cost of Services and Transfer of Fees to Part 187 From Parts 47, 49, 61, 63, 65, and 143	2120-AD91
2497	Type Certificates for Some Surplus Aircraft of the Armed Forces	2120-AE41
2498	+Airport Noise Compatibility Planning	2120-AE64
2499	+Aircraft Ground Deicing and Anti-Icing Program	2120-AE70
2500	Air Traffic Control Radar Beacon System and Mode S Transponder Requirements in the National Airspace System	2120-AE81
2501	Civil Penalty Assessment Procedures	2120-AE84
2502	+Training and Checking in Ground Icing Conditions	2120-AF09
2503	+Revision of Emergency Evacuation Demonstration Procedures To Improve Participant Safety	2120-AF21
2504	+Controlled Rest on the Flight Deck	2120-AF54
2505	Miscellaneous Cabin Safety Changes	2120-AF77
2506	Revision of Hydraulics Systems Airworthiness Standards To Harmonize With European Airworthiness Standards for Transport Category Airplanes	2120-AF79
2507	Bird Strike	2120-AF80
2508	+Security Programs of Foreign Air Carriers and Foreign Operators of U.S. Registered Air Carriers Engaged in Common Carriage	2120-AG13
2509	+Noise Limitations for Aircraft Operations in the Vicinity of Grand Canyon National Park	2120-AG34
2510	+Prohibition of the Transportation of Devices Designed as Chemical Generators as Cargo in Aircraft	2120-AG35
2511	+Revised Standards for Cargo or Baggage Compartments in Transport Category Airplanes	2120-AG42
2512	Pilot Certificates Issued or Validated on the Basis of a Bilateral Air Safety Agreement	2120-AG81
2513	+Emergency Medical Equipment	2120-AG89

+ DOT-designated significant regulation

Federal Aviation Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2514	+Type Certification Procedures for Changed Products	2120-AF68
2515	+Passenger Facility Charges	2120-AF69
2516	Repair Assessment for Pressurized Fuselages	2120-AF81
2517	+Terrain Awareness and Warning System	2120-AG46
2518	+Grand Canyon National Park; Limits on Air Tour Operations	2120-AG73
2519	+Modification of the Airspace for Grand Canyon National Park	2120-AG74
2520	Special Visual Flight Rules	2120-AG94
2521	Prohibition Against Certain Flights Within the Territory and Airspace of Ethiopia	2120-AG98
2522	Removal of Prohibition Against Certain Flights Within the Territory and Airspace of Serbia-Montenegro	2120-AG99
2523	Prohibition Against Smoking on Scheduled Flights	2120-AH04
2524	Passenger Facility Charges	2120-AH05

+ DOT-designated significant regulation

Federal Highway Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2525	Certification of Size and Weight Enforcement	2125-AC60

DOT

Federal Highway Administration—Prerule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2526	Parts and Accessories Necessary for Safe Operation: Intermodal Cargo Containers	2125-AC74
2527	Highway Beautification	2125-AD24

Federal Highway Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2528	Truck Length and Width Exclusive Devices	2125-AC30
2529	National Standards for Traffic Control Devices; MUTCD; Minimum Retroreflectivity Requirements for Traffic Signs	2125-AE39
2530	+Federal Lands Highway Program; Transportation Planning Procedures and Management Systems Pertaining to the National Park Service, Including the Park Roads and Parkways Program	2125-AE52
2531	+Federal Lands Highway Program; Transportation Planning Procedures and Management Systems Pertaining to the Bureau of Indian Affairs, Including the Indian Reservations Road Program	2125-AE53
2532	+Federal Lands Highway Program; Transportation Planning Procedures and Management Systems Pertaining to the Fish and Wildlife Service, Including the Refuge Roads Program	2125-AE54
2533	+Federal Lands Highway Program; Transportation Planning Procedures and Management Systems Pertaining to the Forest Service, Including the Forest Highways Program	2125-AE55
2534	Standards for Dedicated Short Range Communications (DSRC) Applications for Use by Commercial Vehicles in Intelligent Transportation Systems Projects	2125-AE63
2535	Engineering Services	2125-AE73
2536	Discretionary Bridge Candidate Rating Factor	2125-AE75
2537	Federal-aid Project Agreement	2125-AE77
2538	Revision of the Manual on Uniform Traffic Control Devices; Traffic Control Devices on Federal-Aid and Other Streets and Highways; Standards	2125-AE78
2539	+Design-Build Contracting	2125-AE79

+ DOT-designated significant regulation

Federal Highway Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2540	Federal-Aid Highway Systems	2125-AD74
2541	Mitigation of Impacts to Wetlands	2125-AD78
2542	Railroad Highway Projects	2125-AD86
2543	Traffic Control Devices, Markings, Signals, and Systems for Railroad-Highway Grade Crossings	2125-AE11
2544	+Federal Motor Carrier Safety Regulations; Definition of Commercial Motor Vehicle	2125-AE22
2545	Revision of Manual on Uniform Traffic Control Devices; General Provisions and Traffic Control for School Areas ..	2125-AE25
2546	Revision of the Manual on Uniform Traffic Control Devices; Part II—Signs	2125-AE38
2547	Administration of Engineering and Design Related Services Contracts	2125-AE45
2548	Revision of the Manual on Uniform Traffic Control Devices; Tourist Oriented Directional Signs, Recreation and Cultural Interest Signs, and Traffic Controls for Bicycle Facilities	2125-AE50
2549	Revision of the Manual on Uniform Traffic Control Devices; Warning Signs and Traffic Controls for Highway-Light Rail Grade Crossings	2125-AE58
2550	+Statewide Metropolitan Planning (Reg Plan Seq. No. 100)	2125-AE62
2551	+NEPA and Related Procedures for Transportation Decisionmaking; Protection of Public Parks, Wildlife and Waterfowl Refuges and Historic Sites (Reg Plan Seq. No. 101)	2125-AE64
2552	Intelligent Transportation Systems Architecture and Standards	2125-AE65
2553	Revision of the MUTCD; Regulatory Signs, Traffic Control for Low Volume Rural Roads; Traffic Control for Highway-Rail Grade Crossings	2125-AE66
2554	+Revision of Color Specifications for Signs and Pavement Marking Retroreflective Materials	2125-AE67
2555	Utilities	2125-AE68
2556	Revision of the Manual on Uniform Traffic Control Devices; General Provisions, Markings, and Signals	2125-AE71
2557	Revision of the MUTCD—Proposed Amendments for Temporary Traffic Control	2125-AE72

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References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

DOT

Federal Highway Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2558	Advanced Construction of Federal Aid Projects	2125-AD59
2559	+Application of the National Transportation Communications for ITS Protocol (NTCIP) Standards in ITS Projects ...	2125-AE21
2560	Work Zone Safety	2125-AE29
2561	Procedures for Abatement of Highway Traffic Noise and Construction Noise	2125-AE51
2562	Indian Reservation Road Bridge Program	2125-AE57

+ DOT-designated significant regulation

Federal Highway Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2563	Emergency Relief Program—\$500,000 Disaster Eligibility Threshold	2125-AE27
2564	Payroll and Related Expenses of Public Employees; General Administration and Other Overhead; Cost Accumulation Centers and Distribution Methods	2125-AE74
2565	Temporary Matching Fund Waiver	2125-AE76

Federal Motor Carrier Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2566	+Federal Motor Carrier Safety Regulations; Interstate School Bus Safety	2126-AA53

+ DOT-designated significant regulation

Federal Motor Carrier Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2567	+Qualification of Drivers; Vision	2126-AA05
2568	+Minimum Training Requirements for Operators and Training Instructors of Multiple Trailer Combination Vehicles ..	2126-AA08
2569	+Training for Entry-Level Drivers of Commercial Motor Vehicles	2126-AA09
2570	+Commercial Driver Physical Fitness as Part of the CDL Process	2126-AA10
2571	Safety Performance History of New Drivers	2126-AA17
2572	Parts and Accessories Necessary for Safe Operation; Television Receivers and Data Display Units	2126-AA19
2573	+Motor Carrier Replacement Information/Registration System	2126-AA22
2574	Registration of For-Hire Motor Carriers, Property Brokers, and Freight Forwarders	2126-AA26
2575	Development of a North American Standard for Protection Against Shifting and Falling Cargo	2126-AA27
2576	Minimum Levels of Financial Responsibility for Mexican Motor Carriers	2126-AA30
2577	Safety Fitness Procedures	2126-AA37
2578	+Federal Motor Carrier Safety Regulations; Zero-Base Revision	2126-AA39
2579	Brake Performance Requirements for CMVs Inspected by Performance-Based Brake Testers	2126-AA46
2580	+Post-Accident Controlled Substances and Alcohol Test Results; Reporting Requirements for the Fatality Analysis Reporting System	2126-AA50
2581	+Federal Motor Carrier Safety Regulations; Commercial Van Operations That Transport Nine to Fifteen Passengers Across the U.S.-Mexico Border	2126-AA52
2582	Sanctions Against Motor Carriers, Brokers, and Freight Forwarders for Failure To Pay Civil Penalties	2126-AA54
2583	Commercial Driver's License Standards; Requirements and Penalties; Noncommercial Motor Vehicle Violations ...	2126-AA55
2584	Conforming Amendments to DOT Drug and Alcohol Rule	2126-AA58
2585	+New Entrant Safety Assurance Process	2126-AA59
2586	+Commercial Driver's License Standards; Requirements and Penalties; Commercial Driver's License Program Improvements	2126-AA60
2587	Rules of Practice for Administrative Proceedings	2126-AA63
2588	+Certification of Safety Auditors	2126-AA64

+ DOT-designated significant regulation

DOT

Federal Motor Carrier Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2589	Physical Qualification of Drivers; Medical Examination; Certificate	2126-AA06
2590	Rules of Practice for Motor Carrier Proceedings; Investigations; Disqualifications and Penalties	2126-AA15
2591	+Railroad-Highway Grade Crossing Safety	2126-AA18
2592	+Qualifications of Motor Carriers To Self-Insure Their Operations and Fees To Support the Approval and Compliance Process	2126-AA28
2593	Transportation of Household Goods; Consumer Protection Regulations (Rulemaking Resulting From a Section 610 Review)	2126-AA32
2594	Federal Motor Carrier Safety Regulations; Waivers, Exemptions, and Pilot Programs; Rules and Procedures	2126-AA41
2595	+Federal Motor Carrier Safety Regulations; Requirements for Operators of Small Passenger Carrying Commercial Motor Vehicles	2126-AA44
2596	+Federal Motor Carrier Safety Regulations; Definition of Commercial Motor Vehicle	2126-AA51
2597	Transportation of Household Goods in Interstate or Foreign Commerce; Rules of Practice for Motor Carrier Safety and Hazardous Materials Proceedings	2126-AA56
2598	Motor Carrier Identification Report	2126-AA57
2599	Parts and Accessories Necessary for Safe Operation; General Amendments	2126-AA61
2600	Federal Motor Carrier Safety Regulations; Miscellaneous Technical Amendments	2126-AA62

+ DOT-designated significant regulation

Federal Motor Carrier Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2601	+Qualification of Drivers; Diabetes	2126-AA00
2602	+Commercial Driver's License Standards; Biometric Identifier	2126-AA01
2603	+Federal Motor Carrier Safety Regulations; General; Periodic Registration Requirements for Motor Carriers	2126-AA02
2604	Commercial Learner Permits	2126-AA03
2605	+Federal Motor Carrier Safety Regulations; General Transportation of Hazardous Materials	2126-AA07
2606	Parts and Accessories Necessary for Safe Operation; Sleeper Berths on Motor Coaches	2126-AA12
2607	+Advanced Technology in Commercial Motor Vehicle Operations (Rulemaking Resulting From a Section 610 Review)	2126-AA16
2608	+Hours of Service of Drivers; Driver Rest and Sleep for Safe Operations (Rulemaking Resulting From a Section 610 Review)	2126-AA23
2609	Electronic Filing of Surety Bonds, Trust Fund Agreements, Insurance Certificates; Cancellations	2126-AA24
2610	General Jurisdiction Over Freight Forwarder Service	2126-AA25
2611	+Federal Motor Carrier Safety Regulations; Hours-of-Service and CDL Exemptions	2126-AA29
2612	+English Language Requirement; Qualifications of Drivers	2126-AA31
2613	+Revision of Application Form for Mexican Motor Carriers: Commercial Zones	2126-AA33
2614	+Revision of Application Form for Mexican Motor Carriers: NAFTA	2126-AA34
2615	+Accelerated Safety Monitoring System and Compliance Initiative for Mexican Motor Carriers Operating in the United States	2126-AA35
2616	Out-of-Service Criteria	2126-AA36
2617	+General Requirements; Inspection, Repair, and Maintenance; Intermodal Container Chassis and Trailers	2126-AA38

+ DOT-designated significant regulation

Federal Motor Carrier Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2618	+Federal Motor Carrier Safety Regulations; General; Motor Vehicle Marking	2126-AA14
2619	Motor Carrier Safety Assistance Program (MCSAP)	2126-AA40
2620	+Safety Fitness Procedures—Unsatisfactory Safety Ratings	2126-AA42
2621	Safety Fitness Procedures; Amendments to Safety Fitness Rating Methodology (SFRM) Appendix	2126-AA43
2622	Federal Motor Carrier Safety Regulations; Technical Amendment	2126-AA45

+ DOT-designated significant regulation

DOT

National Highway Traffic Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2623	Review: Passenger-Car Back Seat Occupant Protection	2127-AE95
2624	Review: Heavy Truck Conspicuity	2127-AG19
2625	Convex Cross-View Mirrors	2127-AG41
2626	Special Purpose Vehicles	2127-AH75
2627	Brake Hoses	2127-AH79
2628	Motorcycle Headlamp System	2127-AH92
2629	Guidelines for States on Enforcement of Light Transmission	2127-AH97
2630	Review: Head Restraints for Light Trucks	2127-AH98
2631	Confidential Business Information	2127-AI13

National Highway Traffic Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2632	Procedures for Considering Environmental Impacts	2127-AB79
2633	Radiator Safety Cap	2127-AE59
2634	Upgrade Fuel Integrity Performance Requirements	2127-AF36
2635	Hybrid III 95th Percentile Male	2127-AG79
2636	Signal Lamps Used With Light Emitting Diodes	2127-AG88
2637	Motorcycle Mounted Reflex Reflector Height	2127-AG92
2638	+Allocation of Fuel Economy Credits	2127-AG97
2639	Buy American Requirements	2127-AG99
2640	Political Subdivision Participation in State Highway Safety Programs and State Highway Safety Agency	2127-AH00
2641	+Harmonization of Head Restraints	2127-AH09
2642	Definition of Community Transportation Vehicles	2127-AH23
2643	Metric Conversion—Phase III	2127-AH27
2644	Upgrade Door Retention Performance	2127-AH34
2645	Administrative Rewrite of the Lighting Requirements Other Than Headlamps	2127-AH37
2646	Ejection Mitigation Using Advanced Glazing	2127-AH50
2647	Exemption for Inconsequential Defect or Noncompliance	2127-AH58
2648	Compliance and Enforcement	2127-AH63
2649	Registered Importers of Vehicles not Originally Manufactured to Conform with the Federal Motor Vehicle Safety Standards	2127-AH67
2650	Accelerator Control Systems	2127-AH71
2651	+Frontal Offset Protection (Reg Plan Seq. No. 102)	2127-AH73
2652	Low-Speed Vehicle Performance Requirements	2127-AH80
2653	Headlamp Glare	2127-AH81
2654	Stowable or Fold-Away Child Restraint Anchorages	2127-AH85
2655	Neck Lateral Bending for 50th Percentile Male Side Impact Dummy Hybrid III (SID/HIII)	2127-AH87
2656	Defect Reporting and Notification	2127-AH89
2657	Clarify Test Procedures for Brake Fluids	2127-AH96
2658	Improve Motorcycle Helmet Head Protection	2127-AI03
2659	Moving Barrier Tire Specification	2127-AI05
2660	Theft Data for Calendar Year 1999	2127-AI06
2661	Insurer Reporting Requirements for October 2001	2127-AI07
2662	Reorganize and Harmonize Controls and Displays	2127-AI09

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References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

National Highway Traffic Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2663	Brake Lining	2127-AC66
2664	Seating Systems Performance	2127-AD08

DOT

National Highway Traffic Safety Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2665	+Platform Lift Systems	2127-AD50
2666	Alternative Geometric Visibility Requirements for Lamps	2127-AF75
2667	Power-Operated Windows: Roof Panels	2127-AF83
2668	Automotive Fuel Economy Reports	2127-AG00
2669	Dealer Notification of Defect or Noncompliance Determination	2127-AG27
2670	Power Window Safety Switches	2127-AG36
2671	Modified Vehicles To Accommodate a Person's Disability	2127-AG40
2672	Seat Belt Positioning Devices	2127-AG49
2673	Glare Reduction From Daytime Running Lamps	2127-AG86
2674	Administrative Rewrite for Headlamp Requirements	2127-AG87
2675	State Issued Identification Documents	2127-AG91
2676	Placement of Wheelchair Restraints on Buses	2127-AH03
2677	Incorporate the 1996 Revision of the American National Standards Institute (ANSI)	2127-AH08
2678	Truck Air Braking Requirements	2127-AH11
2679	Child Restraints for Older Children	2127-AH14
2680	Motorcycle Braking Requirements	2127-AH15
2681	Heavy Vehicle Antilock Brake System (ABS) Performance Requirement	2127-AH16
2682	+Safety Incentive Grants for Use of Seat Belts-Allocations Based on State Seat Belt Use Rules	2127-AH38
2683	Occupant Protection Incentive Grants	2127-AH40
2684	Open Container Requirements	2127-AH41
2685	State Highway Safety Data Improvements Incentive Grants	2127-AH43
2686	Minimum Penalties for Repeat Offenders	2127-AH47
2687	Parking Brake Warning System on School Buses	2127-AH57
2688	Upper Interior Impact	2127-AH61
2689	Requirements for Low-Speed Vehicles (LSV)	2127-AH69
2690	Vehicles With Raised Roofs	2127-AH74
2691	Interior Trunk Release	2127-AH83
2692	School Bus Body Joint Strength	2127-AH84
2693	Bonfire Test Procedure	2127-AH94
2694	Child Restraint Anchorage Systems—Part 2	2127-AH99
2695	Hybrid III Type 6-Year-Old Size Test Dummy	2127-AI00
2696	Fifth Percentile Female Test Dummy	2127-AI01
2697	Hybrid III Type 3-Year-Old Size Test Dummy	2127-AI02
2698	Label Placement on Rear Impact Guards	2127-AI04
2699	High-Theft Lines for Model Year 2002	2127-AI08
2700	+Advanced Air Bags	2127-AI10
2701	Schedule of Fees Authorized by 49 USC 30141	2127-AI11
2702	Importation of Vehicles and Equipment Subject to Federal Motor Vehicle (FMV) Safety, Bumper and Theft Prevention Standards and of Vehicles Not Originally Manufactured To Conform to FMV Standards	2127-AI12
2703	Listing of Nonconforming Vehicles Eligible for Importation	2127-AI17

+ DOT-designated significant regulation

National Highway Traffic Safety Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2704	+Crashworthiness Ratings	2127-AA03
2705	+Flammability of Interior Materials—School Buses	2127-AA44
2706	Certification Requirements of Multistage Vehicles	2127-AE27
2707	Review: Odometer Fraud	2127-AF53
2708	+Review: Side Impact Protection	2127-AF54
2709	Door Latch Exemption for Vehicles Equipped With Wheelchair Lifts and Ramps	2127-AG16
2710	Review: American Automobile Labeling Act	2127-AG18
2711	Upgrade Roof Crashworthiness	2127-AG51
2712	Review: Child Safety Seat Registration	2127-AG93
2713	Review: Air Bag On-Off Switches	2127-AH12
2714	Review: Redesigned Air Bags	2127-AH13

DOT

National Highway Traffic Safety Administration—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2715	Use of Universal Child Seats in Aircraft	2127-AH56
2716	Review: Antilock Brake Systems for Heavy Trucks	2127-AI14
2717	Review: Rear Impact Guards for Truck Trailers	2127-AI15

+ DOT-designated significant regulation

National Highway Traffic Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2718	+Rollover Protection	2127-AC64
2719	Electric Vehicle Safety	2127-AF43
2720	Transition Procedures From Current to New National Driver Register	2127-AG68
2721	+Advanced Air Bags	2127-AG70
2722	Hybrid III Type 3-Year-Old Size	2127-AG77
2723	CRABI 12-Month-Old Size	2127-AG78
2724	Uniform Tire Quality Grading Test Procedures	2127-AG96
2725	Public Participation in Activities Relating to the Agreement on Global Technical Regulations: Statement of Policy	2127-AH29
2726	Alcohol-Impaired Driving Countermeasures Incentive Grants	2127-AH42
2727	Extension of Compliance Date for ABS Malfunction Indicator Lamp	2127-AH55
2728	Side Impact Protection Test Procedures	2127-AH66
2729	Compressed Natural Gas Fuel Container Integrity	2127-AH72
2730	Theft Data for Calendar Year 1998	2127-AH76
2731	Insurer Reporting Requirements for October 2000	2127-AH77
2732	High-Theft Lines for Model Year 2001	2127-AH78
2733	Alternative Compliance Options	2127-AH86
2734	Child Restraint Systems (Completion of a Section 610 Review)	2127-AH90
2735	Offset Deformable Barrier	2127-AH93
2736	+Light Truck Fuel Economy Standards for Model Year 2002	2127-AH95
2737	School Bus Safety Standards (Section 610 Review)	2127-AI16

+ DOT-designated significant regulation

Federal Railroad Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2738	+Hours of Service Electronic Recordkeeping Project	2130-AB04
2739	Tourist and Historic Working Group Regulatory Review	2130-AB12

+ DOT-designated significant regulation

Federal Railroad Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2740	Locomotive Cab Working Conditions	2130-AA89
2741	+Positive Train Control (Reg Plan Seq. No. 103)	2130-AA94
2742	Locomotive Crashworthiness	2130-AB23
2743	Roadway Equipment Safety	2130-AB28
2744	Event Recorder Crashworthiness	2130-AB34
2745	Revision to Railroad Safety Enforcement Procedures	2130-AB35
2746	Rules of Practice	2130-AB36
2747	+Application of Random Testing and other Alcohol and Drug Regulations to Employees of Foreign Railroads	2130-AB39

DOT

Federal Railroad Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2748	+Requirements for Proficiency in the Use of the English Language and for the Use of English Units of Measurements in Communications About Railroad Operations in the United States	2130-AB40

+ DOT-designated significant regulation

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Federal Railroad Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2749	Local Rail Freight Assistance to States	2130-AA60
2750	+Freight Car Safety Standards: Maintenance-of-Way Equipment	2130-AA68
2751	+Whistle Bans at Highway-Rail Grade Crossings (Reg Plan Seq. No. 104)	2130-AA71
2752	Maintenance, Inspection, and Testing of Grade-Crossing Signal Systems	2130-AA97
2753	Reinvention of Regulations Addressing Discontinuance or Modification of Signal Systems	2130-AB05
2754	Reinvention of Signal System Reporting Requirements	2130-AB06
2755	Small Railroads; Policy Statement on Enforcement Program	2130-AB15
2756	+Power Brake Regulations: Freight Power Brake Revisions	2130-AB16
2757	+Regulations on Safety Integration Plans Governing Railroad Consolidations, Mergers, Acquisitions of Control and Start-Up Operations	2130-AB24
2758	Bridge Worker Safety Standards	2130-AB25
2759	Annual Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents	2130-AB30
2760	Determination of Minimum Testing Rate for Random Drug and Alcohol Testing	2130-AB31
2761	Track Safety Standards Amendment To Address Gage Restraint Measurement Systems	2130-AB32
2762	+Locational Requirement for Dispatching of United States Rail Operations	2130-AB38

+ DOT-designated significant regulation

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Federal Railroad Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2763	AMTRAK Waste Disposal	2130-AA84
2764	Blue Signal and Related Protections	2130-AA90
2765	Use of One-Person Crews in Rail Operations	2130-AB18
2766	Crane Safety Standards	2130-AB27
2767	Railroad Car Conspicuity	2130-AB41

Federal Railroad Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2768	Statement of Policy Regarding Safety of Railroad Bridges	2130-AA99
2769	Florida Overland Express High Speed Rail Rule of Particular Applicability	2130-AB14
2770	+Amendment of Regulations Governing Railroad Rehabilitation and Improvement Financing	2130-AB26
2771	+Joint Statement of Safety Policy for Shared Use of General Railroad System Trackage by Conventional Railroad and Rail Transit Trains	2130-AB33
2772	Amendment of Passenger Equipment Safety Standards	2130-AB42

+ DOT-designated significant regulation

DOT

Federal Transit Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2773	Clean Fuels Formula Grant Program	2132-AA64
2774	State Safety Oversight; Rail Fixed Guideway Systems	2132-AA69
2775	+Requirement for Third-Party Contracting with FTA Recipients	2132-AA70
2776	Prevention of Alcohol Misuse and Drug Use in Transit Operations	2132-AA71

+ DOT-designated significant regulation

Federal Transit Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2777	+Bus Testing	2132-AA30
2778	+NEPA and Related Procedures for Transportation Decisionmaking; Protection of Public Works, Wildlife and Waterfowl Refuges and Historic Sites	2132-AA43
2779	Charter Services Demonstration Program	2132-AA58
2780	Buy America Requirements; Amendment to Certification Procedures	2132-AA62
2781	+Major Capital Investment Projects	2132-AA63
2782	+Statewide Metropolitan Planning	2132-AA66
2783	School Bus Operations	2132-AA67

+ DOT-designated significant regulation

Federal Transit Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2784	Buy America Requirements; Permanent Waiver for Microcomputers	2132-AA68

Federal Transit Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2785	+Joint Statement of Safety Policy for Shared Use of General Railroad System Trackage by Conventional Railroad and Rail Transit Systems	2132-AA73

+ DOT-designated significant regulation

Saint Lawrence Seaway Development Corporation—Completed Actions

Sequence Number	Title	Regulation Identification Number
2786	Seaway Regulations and Rules: Miscellaneous Amendments	2135-AA11

Research and Special Programs Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2787	+Increased Inspection Requirements	2137-AC38
2788	+Emergency Flow Restricting Devices	2137-AC39
2789	Hazardous Materials: Revision of Requirements for Carriage by Aircraft	2137-AD18

+ DOT-designated significant regulation

DOT

Research and Special Programs Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2790	Pipeline Safety: Gas Gathering Line Definition	2137-AB15
2791	DOT 3AL Aluminum Cylinders; Safety Problems	2137-AB51
2792	Regulated Gas and Hazardous Liquid Gathering Lines	2137-AC53
2793	Pipeline Safety: Periodic Underwater Inspections	2137-AC54
2794	Retention of Shipping Papers	2137-AC64
2795	+Applicability of the Hazardous Materials Regulations to Loading, Unloading, and Storage (Reg Plan Seq. No. 105)	2137-AC68
2796	Hazardous Materials: Requirements for Cargo Tanks	2137-AC90
2797	Pipeline Safety: Further Regulatory Review; Gas Pipeline Safety Standards	2137-AD01
2798	+Pipeline Safety: Recommendations To Change Hazardous Liquid Pipeline Safety Standards	2137-AD10
2799	Hazardous Materials: Revisions to Standards for Infectious Substances	2137-AD13
2800	Hazardous Materials: Revisions to the Incident Reporting Requirements and the Detailed Hazardous Materials Incident Report DOT Form	2137-AD21
2801	Pipeline Safety: Corrosion Control on Gas and Hazardous Liquid Pipelines	2137-AD24
2802	Pipeline Safety: Pressure Testing Older Pipelines in Terminals	2137-AD26
2803	Hazardous Materials: Hazard Communication Requirements—Petitions for Rulemaking and Miscellaneous Amendments	2137-AD28
2804	Hazardous Materials: Air Carrier Emergency Telephone Number Requirements	2137-AD29
2805	+Hazardous Materials Safety: Transportation of Oxygen Cylinders on Aircraft	2137-AD33
2806	+Hazardous Materials: Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids	2137-AD36
2807	Hazardous Materials: Adoption of latest IAEA and Other Miscellaneous Revisions and Clarifications	2137-AD40
2808	Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions	2137-AD41
2809	Pipeline Safety: Producer-Operated Outer Continental Shelf Gas and Hazardous Liquid Pipelines That Cross Directly Into State Waters	2137-AD42
2810	Hazardous Materials: Miscellaneous Amendments for Unloading IM Portable Tanks on a Transport Vehicle	2137-AD44
2811	Hazardous Materials: Relocation of Registration and Training Requirements	2137-AD46
2812	Hazardous Materials: Transportation of Lithium Batteries	2137-AD48
2813	Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Hazardous Liquid Operators with Less than 500 Miles of Pipeline)	2137-AD49
2814	Hazardous Materials: Revision of the Requirements for Hazardous Waste Manifests	2137-AD50

+ DOT-designated significant regulation

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Research and Special Programs Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2815	Quantity Limitations Aboard Aircraft	2137-AA85
2816	+Requirements for Cylinders	2137-AA92
2817	+Maps and Records of Pipeline Locations and Characteristics; Notification of State Agencies; Pipe Inventory	2137-AB48
2818	Passage of Internal Inspection Devices	2137-AB71
2819	+Response Plans for Onshore Oil Pipelines	2137-AC30
2820	Pipeline Safety: Underwater Abandoned Pipeline Facilities	2137-AC33
2821	+Pipeline Safety: Areas Unusually Sensitive to Environmental Damage (USAs)	2137-AC34
2822	Filling of Propane Cylinders	2137-AC86
2823	Hazardous Materials: Revised and Clarified Hazardous Materials Safety Rulemaking and Program Procedures	2137-AD20
2824	Pipeline Safety: Enforcement Procedures	2137-AD22
2825	Pipeline Safety: Periodic Updates to Pipeline Safety Requirements (1999)	2137-AD35
2826	Hazardous Materials: Limited Extension of Requirements for Labeling Certain Shipments of Materials Poisonous by Inhalation (PIH)	2137-AD37
2827	Revisions; Definition of Administrator	2137-AD43
2828	+Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Hazardous Liquid Operators With 500 or More Miles of Pipeline)	2137-AD45
2829	Hazardous Materials: Minor Editorial Corrections and Clarifications	2137-AD51

+ DOT-designated significant regulation

DOT

Research and Special Programs Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2830	+Safeguarding Food From Contamination During Transportation	2137-AC00
2831	Hazardous Materials: Revision of Requirements for Carriage by Rail Car and Motor Vehicle	2137-AD19
2832	Hazardous Materials: Revised and Clarified Hazardous Materials Exemptions Procedures	2137-AD30
2833	Hazardous Materials: Cargo Tank Rollover Requirements	2137-AD34

+ DOT-designated significant regulation

Research and Special Programs Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2834	Tank Cars and Cargo Tank Motor Vehicles: Attendance Requirements	2137-AC24
2835	+Hazardous Materials: Safety Standards for Unloading Cargo Tank Motor Vehicles in Liquefied Compressed Gas Service	2137-AD07
2836	Pipeline Safety: Adoption of Industry Standards for Liquefied Natural Gas Facilities	2137-AD11
2837	Transportation of Hazardous Materials; Miscellaneous Amendments	2137-AD16
2838	+Hazardous Materials Transportation: Registration and Fee Assessment Program	2137-AD17
2839	Hazardous Materials: Hazardous Substances—Additions, Revisions and Deletions	2137-AD39
2840	Hazardous Materials: Editorial Corrections and Clarification	2137-AD47
2841	Pipeline Safety: Internal Corrosion in Gas Transmission Pipelines	2137-AD52

+ DOT-designated significant regulation

Maritime Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2842	+Cargo Preference Regulations—Carriage of Agricultural Exports	2133-AB37
2843	Update to Part 205 - Audit Appeals; Policy and Procedure	2133-AB42
2844	Removal of Part 207- Statistical Data for Use in Operating-Differential Subsidy Application Hearings	2133-AB43

+ DOT-designated significant regulation

Maritime Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
2845	Putting Customers First in the Title XI Program: Ship Financing Guarantees	2133-AB32
2846	+Eligibility of U.S.-Flag Vessels of 100 Feet or Greater To Obtain Commercial Fisheries Documents	2133-AB38
2847	Appeal Procedures for Determinations Concerning Compliance With Service Obligations, Deferments, and Waivers	2133-AB41

+ DOT-designated significant regulation

Bureau of Transportation Statistics—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2848	Modernizing the Passenger Origin-Destination Survey	2139-AA01

DOT

Bureau of Transportation Statistics—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2849	Amendment to the Definitions of Revenue and Nonrevenue Passengers	2139-AA07

Department of Transportation (DOT)
Office of the Secretary (OST)

Proposed Rule Stage

**2314. +COMPUTER RESERVATIONS
SYSTEM REGULATIONS
COMPREHENSIVE REVIEW**

Priority: Other Significant

Legal Authority: 49 USC 41712; 49 USC 40101(a); 49 USC 40113(a); 49 USC 40105

CFR Citation: 14 CFR 255

Legal Deadline: Final, Statutory, December 31, 1997.

Abstract: The Department regulates computer reservations systems owned by airlines or airline affiliates that are used by travel agencies. The current rules are designed to prevent the systems from unreasonably prejudicing the competitive position of other airlines and to ensure that travel agencies can provide accurate and unbiased information to the public. The Department is reexamining its rules to see whether they should be readopted and, if so, whether they should be changed. As part of this action, we will be looking at ways to lessen impacts on small entities.

Timetable:

Action	Date	FR Cite
ANPRM	09/10/97	62 FR 47606
Notice Extending Comment Period	10/30/97	62 FR 58700
Request for Comments	11/07/97	62 FR 60195
ANPRM Comment Period End	11/10/97	
Extended Comment Period End	12/09/97	
Notice Extending Reply Comment Period	01/23/98	63 FR 3491
Extended Comment Period End	02/03/98	
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Thomas Ray, Office of General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4731

RIN: 2105-AC65

**2315. +AVIATION DATA
REQUIREMENTS REVIEW AND
MODERNIZATION PROGRAM**

Priority: Other Significant

Legal Authority: 49 USC 40101; 49 USC 41101; 49 USC 41708; 49 USC 41709; 49 USC 41301; 49 USC 41501; 49 USC 41701

CFR Citation: 14 CFR 241; 14 CFR 250; 14 CFR 298; 14 CFR 374a; 14 CFR 234

Legal Deadline: None

Abstract: The Department is undertaking an aviation data requirements review and modernization program. The review is designed to harmonize the Department's aviation data systems with current regulatory and statutory needs; improve the quality of the Department's aviation databases; and eliminate obsolete data reporting and processing systems. The ANPRM was the first step in an outreach program to review aviation data collected by the Department and the measures that should be taken to modernize and improve aviation data reporting and processing systems. The Department solicited public comments from aviation data users on the nature, scope, source, and means for collecting, processing, and distributing airline traffic, fare, and financial data. Specifically, the Department invited comments to determine whether existing aviation data should be amended, supplemented, or replaced; whether selected forms and reports should be retained, modified, or eliminated; whether the Department should require all aviation data to be filed electronically; and how the

aviation data system should be reengineered to enhance efficiency and to reduce costs for both the Department and airline industry. The Department has reviewed the comments and reply comments and is in the process of redefining the data elements and restructuring the data reporting requirements to be included in a NPRM. This action is significant due to substantial public and industry interest.

Timetable:

Action	Date	FR Cite
ANPRM	07/15/98	63 FR 38128
ANPRM Comment Period End	09/14/98	
Reply Comment Period End	10/13/98	
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Undetermined

Agency Contact: Todd Homan, Industry Economist, Department of Transportation, Office of the Secretary, X-55, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9605

RIN: 2105-AC71

**2316. FILING PERIODS FOR
RESPONSIVE PLEADINGS; RULES OF
PRACTICE IN AVIATION ECONOMIC
PROCEEDINGS**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5111; 39 USC 5402; 42 USC 4321; 49 USC 40101; 49 USC 41101; 49 USC 41301; 49 USC 41501; 49 USC 41701; 49 USC 41901; 49 USC 46101; 49 USC 46301

CFR Citation: 14 CFR 302

Legal Deadline: None

DOT—OST

Proposed Rule Stage

Abstract: This action stems from an NPRM to revise rules of practice in aviation economic proceedings published 2/3/97 (63 FR 5094) RIN 2105-AC48. The Department received a number of comments seeking changes in filing periods for responsive pleadings to various types of applications. Based on comments there will be a reevaluation of the time periods for filing documents. Since changes in the time periods were outside the scope of the original notice, a supplemental notice will be published on this narrow question.

Timetable:

Action	Date	FR Cite
SNPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Carol A. Woods, Analyst, Air Carrier Fitness Division, Department of Transportation, Office of the Secretary, X-56, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2340

Patricia L. Thomas, Air Carrier Fitness Division, Department of Transportation, Office of the Secretary, X-56, 400 Seventh Street, SW, Washington, DC 20590

Phone: 202 366-9721

RIN: 2105-AC73

2317. • PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION PROGRAMS: MEMORANDUM OF UNDERSTANDING WITH SMALL BUSINESS ADMINISTRATION; UNIFORM FORMS AND OTHER REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-178; 112 Stat. 107 and 113; 42 USC 2000d; PL 102-581

CFR Citation: 49 CFR 26

Legal Deadline: None

Abstract: This NPRM proposes implementation procedures for a memorandum of understanding (MOU) between DOT and the Small Business Administration. The MOU establishes reciprocity and streamlines certification procedures for participation in SBA's 8(a) Business Development and Small

Disadvantaged Business program, and DOT's DBE program. This document also proposed a uniform certification application form and a uniform reporting form. This document also requests comments for issues relating to personal net worth requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local

Agency Contact: Laura Aguilar, Attorney, Department of Transportation, Office of the Secretary, C-10, Room 10102
Phone: 202 366-0365
Fax: 202 366-9170
Email: laura.aguilar@ost.dot.gov

RIN: 2105-AC88

2318. • PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 324; 42 USC 2000d et seq; 49 USC 1611, 47107, 47113, 47123; EO 12138; 3 CFR 1951 comp., p. 393; Sec. 1101 (b); ...

CFR Citation: 49 CFR 2a, subpart G

Legal Deadline: Final, Statutory, June 30, 1993.

Abstract: In May 1997, the Department issued a supplemental notice of proposed rulemaking (SNPRM) to revise its disadvantaged business enterprise (DBE) regulation. The SNPRM included proposals for revising the airport concessions portion of the DBE program. When the Department, in February 1999, issued a final rule based on the SNPRM, we did not publish a final version of the airport concessions proposal.

This SNPRM seeks comments on an airport concessions subpart to Part 26 that takes into account comments on the May 1997 SNPRM, adapts provisions of the rest of Part 26 to the concessions context, and proposes options for provisions affecting car

rental operations at airports. These options are based in part on a recent memorandum of understanding between the American Car Rental Association and the Airport Minority Advisory Council making recommendations to the Department on this aspect of the rulemaking. This SNPRM was inadvertently published under RIN 2105-AB92.

Timetable:

Action	Date	FR Cite
SNPRM	09/08/00	65 FR 54454
SNPRM Comment Period End	10/23/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306
TDD Phone: 202 755-7687
Email: bob.ashby@ost.dot.gov

RIN: 2105-AC91

2319. • NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 794; 42 USC 2000d to 2000d-7; 42 USC 6101 to 6107; EO 12250

CFR Citation: 49 CFR 21; 49 CFR 27

Legal Deadline: None

Abstract: This rule proposes to amend DOT's regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1972 (Section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act). Together, these statutes prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRRA) added definitions of "program or activity" and "program" to Title VI and added a definition of "program or activity" to Section 504 and the Age Discrimination Act. The added definitions were

DOT—OST

Proposed Rule Stage

designed to clarify the broad scope of coverage of recipients' programs or activities under these statutes. The promulgation of this proposed regulation incorporates the CRRA's definition of "program or activity" and "program" into Title VI, Section 504, and the Age Discrimination Act regulations. This proposed regulation also promotes consistency and enforceability of these statutes. This is a joint notice of proposed rulemaking with other Federal agencies.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal

Agency Contact: Blane A. Workie, Attorney, Department of

Transportation, Office of the Secretary, Room 10424/C-50, 400 7th Street, SW, Washington, DC 20590
Phone: 202 366-4723
TDD Phone: 202 755-7687
Email: blane.workie@ost.dot.gov

RIN: 2105-AC96

2320. • NONDISCRIMINATION ON THE BASIS OF DISABILITY IN AIR TRAVEL

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 41702; 14 USC 41705; 14 USC 41712

CFR Citation: 14 CFR 382

Legal Deadline: None

Abstract: The Department is proposing to amend its rules implementing the Air Carrier Access Act of 1986 concerning requirements for movable aisle armrests. The amendment would clarify the application of the movable armrest requirement to all classes of service in an aircraft. In addition, in

response to changed practices in parts of the airline industry, the Department is proposing to require preboarding to be made available for passengers with disabilities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306
TDD Phone: 202 755-7687
Email: bob.ashby@ost.dot.gov

RIN: 2105-AC97

**Department of Transportation (DOT)
Office of the Secretary (OST)**

Final Rule Stage

2321. DIRECT AIR CARRIER RESPONSIBILITY FOR RETURNING STRANDED CHARTER PASSENGERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1371

CFR Citation: 14 CFR 207; 14 CFR 208

Legal Deadline: None

Abstract: This action proposed to make direct air carriers responsible for returning charter passengers stranded by strikes or other service interruptions, by eliminating the force majeure clause from charter contracts. However, the CAB subsequently issued an interpretive rule (ER-1387, 49 FR 33436) which was affirmed in court. (Arrow Air, Inc. v. Dole, 784 F2d 1118 (1986)) Therefore, this action is now moot; the NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	07/11/80	45 FR 46812
NPRM Comment Period End	09/25/80	
Reply Comment Period End	10/10/80	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: EDR 405, Docket 37169.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AA40

2322. AIR TRAVELERS: AGE DISCRIMINATION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 6102

CFR Citation: 14 CFR 376

Legal Deadline: None

Abstract: This rulemaking action was initiated by the Civil Aeronautics Board to implement the Age Discrimination Act of 1975. A draft final rule was submitted to HHS, as required by that Act, and was approved. However, in view of current airline practices with respect to travel by the elderly, and the

absence of complaints of discrimination based on age, there no longer appears to be a need for further rulemaking action, and the NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	09/26/79	44 FR 55383
Final Action Adopted by the Board	04/10/80	
HHS Approved Final Rule With Changes	07/13/84	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: SPDR-74, Docket 36639.

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AA45

DOT—OST

Final Rule Stage

2323. DIRECT FLIGHTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1381**CFR Citation:** 14 CFR 399**Legal Deadline:** None

Abstract: Donald L. Pevsner petitioned the CAB to institute a rulemaking proceeding to ban use of the term "direct flight" because it is deceptive, and to declare use of the term to be a prima facie violation of section 411 of the Federal Aviation Act of 1958. The Department is now considering what action to take in response to the petition.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** The petition is filed in Docket 41217.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AA73**2324. DIVERSION OF FLIGHTS WITHIN A METROPOLITAN AREA****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1305; 49 USC 1324; 49 USC 1371; 49 USC 1375; 49 USC 1377 to 1379; 49 USC 1381; 49 USC 1382; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504; PL 96-354; 5 USC 601

CFR Citation: 14 CFR 253; 14 CFR 399**Legal Deadline:** None

Abstract: The CAB proposed to amend its rules requiring notice of contract terms for domestic travel to require that actual notice be given to passengers of terms absolving carriers from any responsibility to transport a passenger to the destination named on the ticket, or to reimburse the passenger for expenses in reaching the airport noted on the ticket when a flight is diverted to another airport in the same metropolitan area. Alternatively, the

Board proposed to declare it to be an unfair and deceptive practice to divert a passenger without arranging and paying for alternate transportation to the destination airport named on the passenger's ticket. The Board considered a final rule but did not decide what action to take. DOT is withdrawing the NPRM as unnecessary since it appears that carriers no longer have the policies that promoted the CAB's concern.

Timetable:

Action	Date	FR Cite
NPRM	09/23/83	48 FR 43343
NPRM Comment Period End	11/07/83	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket 41683, EDR 468/PSDR-81.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AA78**2325. SIMPLIFIED AVIATION EXEMPTION PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1371; 49 USC 1372; 49 USC 1386**CFR Citation:** 14 CFR 302; 14 CFR 389; 14 CFR 399**Legal Deadline:** None

Abstract: A Civil Aeronautics Board rulemaking proposed to revise and simplify the requirements and procedures for applying for exemptions under section 416(b) of the Federal Aviation Act. This action has become unnecessary since the Department included most of its provisions in its rule transferring the CAB's rules to DOT. Therefore, the NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	10/05/84	49 FR 39337
NPRM Comment Period End	12/04/84	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** PDR-88/ODR-27/PSDR-83.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AA82**2326. BAGGAGE LIABILITY NOTICES IN INTERNATIONAL AIR TRANSPORTATION****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481 to 1482

CFR Citation: 14 CFR 221**Legal Deadline:** None

Abstract: In response to a petition by Mr. Howard Boros, the CAB proposed to amend the baggage liability notices provided to passengers in foreign air travel. The NPRM proposed to eliminate the disclaimer of liability for fragile and perishable items because that notice is false and misleading. Because of the amount of time that has elapsed since the proposal was issued, the Department is withdrawing it.

Timetable:

Action	Date	FR Cite
NPRM	12/18/84	49 FR 49111
NPRM Comment Period End	03/19/85	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket 41690; EDR-477.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AA84

DOT—OST

Final Rule Stage

2327. SIMPLIFIED AIRLINE COUNTER-SIGN NOTICES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1301; 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482**CFR Citation:** 14 CFR 221; 14 CFR 250; 14 CFR 256**Legal Deadline:** None

Abstract: The American Association of Airport Executives, the Airport Operators Council International, and the Air Transport Association of America petitioned the CAB to simplify its counter-sign requirements. Presently, airlines are required to display four different consumer protection notices on their ticket counters. The petitioners alleged that the current notices are hard to read and, therefore, do not provide much notice to passengers. They proposed replacing the four notices with one simplified counter sign. A CAB NPRM proposed a number of alternatives, such as a long and/or short notice, where the notices would be required to be posted, and whether a smoking notice should be included. DOT decided not to act on these "counter signs" separately, but rather to consider whether there should be a comprehensive re-examination of all forms of notice to passengers, including notices on tickets. This NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30742
NPRM Comment Period End	09/17/84	
Reply Comment Period End	10/02/84	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket 41971; EDR-474

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AA88**2328. +PRICE ADVERTISING****Priority:** Other Significant**Legal Authority:** 49 USC 1371; 49 USC 1381**CFR Citation:** 14 CFR 380; 14 CFR 399**Legal Deadline:** None

Abstract: The Department proposed in 1989 to amend its rule and policy statement with respect to air transportation price advertising. This rulemaking is significant because of substantial public interest. Because of the amount of time that has elapsed since the proposal was issued, the Department is withdrawing it.

Timetable:

Action	Date	FR Cite
NPRM	07/26/89	54 FR 31052
NPRM Comment Period Extended	08/23/89	
NPRM Comment Period End	08/25/89	
Extended Comment Period End	09/25/89	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AB50**2329. +PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG-TESTING PROGRAMS****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 101; 49 USC 102; 49 USC 301; 49 USC 302; 49 USC 322**CFR Citation:** 49 CFR 40**Legal Deadline:** None

Abstract: The NPRM in 1990 concerned the question of to whom reports of negative drug test results may be sent. It will be formally withdrawn when the Department issues an NPRM

under RIN 2105-AC49, Update of Drug and Alcohol Procedural Rules. This action is significant because of substantial public and congressional interest, and multimodal impact.

Timetable:

Action	Date	FR Cite
NPRM	07/13/90	55 FR 28782
NPRM Comment Period End	08/13/90	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** ANALYSIS: Regulatory Evaluation, 07/13/90, 55 FR 28782

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RIN: 2105-AB71**2330. +TRANSPORTATION FOR INDIVIDUALS WITH DISABILITIES (ACCESSIBILITY GUIDELINES)****Priority:** Other Significant**Legal Authority:** 5 USC 552a**CFR Citation:** 49 CFR 27; 49 CFR 37**Legal Deadline:** None

Abstract: This action would amend the rules implementing the Americans with Disabilities Act by adopting the revised accessibility guidelines issued by the Architectural and Transportation Barriers Compliance Board, published June 20, 1994 (59 FR 31676) as interim final rules. The proposed rule would also conform the Department's rule implementing section 504 of the Rehabilitation Act of 1973. Further DOT action is pending ATBCB/Justice Department action. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/20/94	59 FR 31818
NPRM Comment Period End	08/19/94	
To Be Withdrawn	12/00/00	

DOT—OST

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 2105-AC06**2331. DOMESTIC BAGGAGE LIABILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 40101 et seq**CFR Citation:** 14 CFR 254.4; 14 CFR 254.5**Legal Deadline:** None

Abstract: The Department is proposing to amend its rule governing the amount by which certain U.S. air carriers may limit their liability to passengers for lost, damaged, and delayed baggage. This action is in response to a petition by Public Citizen and Aviation Consumer Action Project to increase the minimum liability limit from \$1,250 to \$2,500 with a mechanism that would provide periodic updates every two years per passenger.

Timetable:

Action	Date	FR Cite
NPRM	09/30/94	59 FR 49867
NPRM Comment Period End	11/29/94	
NPRM Comment Period Extended	11/29/94	59 FR 60926
SNPRM	06/28/99	64 FR 34592
SNPRM Comment Period End	08/27/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AC07**2332. USE OF DIRECT FINAL RULEMAKING****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 1657**CFR Citation:** 49 CFR 5.21; 49 CFR 5.35**Legal Deadline:** None

Abstract: The Department is considering a new rulemaking procedure to expedite the processing of noncontroversial changes to its regulations. Rules that the Secretary judges to be unlikely to result in public comment would be published as "direct final" rules. Such direct final rules would advise the public that no adverse comment is anticipated and that, unless written adverse comment or notice of intent to submit such comment is received within a specified number of days, the rule will become effective 60 days from the date of publication in the Federal Register.

Timetable:

Action	Date	FR Cite
NPRM	08/04/95	60 FR 39919
NPRM Comment Period End	10/03/95	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Neil Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, Room 10424 Nassif Building, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AC11**2333. OVERBOOKING OF FLIGHTS: ELIMINATION OF AIRPORT NOTICE SIGNS****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 401; 49 USC 411; 49 USC 413; 49 USC 417**CFR Citation:** 14 CFR 250**Legal Deadline:** None

Abstract: This action would eliminate a consumer notice about airline overbooking of flights that is required to appear on signs at airports, city ticket offices, and travel agencies. However, that information would be available to consumers because it must accompany every ticket.

Timetable:

Action	Date	FR Cite
NPRM	06/03/96	61 FR 27818
NPRM Comment Period End	07/18/96	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Other rulemakings: RIN 2105-AA88, Simplified Airline Counter-Sign Notices. RIN 2105-AC36, Ticketless Travel: Passenger Notices, Statement of Compliance Policy published 4/22/97, 62 FR 19473.

Agency Contact: Tim Kelly, Aviation Consumer Protection Division, Office of the General Counsel, Department of Transportation, Office of the Secretary, C-75, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5952

RIN: 2105-AC45**2334. FEES AND CHARGES FOR SPECIAL SERVICES: REINVENTION****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 40101; 49 USC 46101; 31 USC 9701**CFR Citation:** 14 CFR 389**Legal Deadline:** None

Abstract: This action would remove or update obsolete provisions and organizational references, and adjust the fee schedule for certain special services related to aviation economic proceedings that the Department makes

DOT—OST

Final Rule Stage

available to the public. The regulation has not been comprehensively updated since 1985 and the revisions will take the form of a complete reissuance of part 389.

Timetable:

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3229
NPRM Comment Period End	03/22/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: John Miller, Analyst, Planning and Special Projects Office, Department of Transportation, Office of the Secretary, X-60, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4868

RIN: 2105-AC47

2335. +UPDATE OF DRUG AND ALCOHOL PROCEDURAL RULES (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 102; 49 USC 301; 49 USC 5331; 49 USC 20140; 49 USC 31306; 49 USC 45101; 49 USC 45106

CFR Citation: 49 CFR 40

Legal Deadline: None

Abstract: The Department is revising its procedural rules for drug and alcohol testing to update and clarify provisions of the rules. As part of this action, a review of the impact of the rules on small entities under 5 USC section 610 was done.

Timetable:

Action	Date	FR Cite
ANPRM	04/29/96	61 FR 18713
ANPRM Comment Period End	07/29/96	
NPRM	12/09/99	64 FR 69076
NPRM Comment Period End	04/07/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: This change would apply to regulated parties through each of the six DOT operating administrations' rules (FAA, FHWA, FTA, FRA, USCG, and RSPA). (This NPRM will propose to withdraw an NPRM in a related action, RIN 2105-AB71, Procedures for Transportation Workplace Drug-Testing Programs. The NPRM will also incorporate all comments received in a related ANPRM issued under RIN 2105-AC78 6/3/99, 64 FR 29831, Substance Abuse Professional Definition Change.)

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RIN: 2105-AC49

2336. AMENDMENTS TO MODAL ALCOHOL TESTING RULES: PRE-EMPLOYMENT TESTING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 102; 49 USC 301; 49 USC 5331; 49 USC 20140; 49 USC 31306; 49 USC 45101; 49 USC 45106

CFR Citation: 49 CFR 219; 49 CFR 382; 49 CFR 653; 49 CFR 654; 49 CFR 121

Legal Deadline: None

Abstract: This rule would implement a statutory change required by the National Highway Systems Act of 1995, section 342, to the existing pre-employment alcohol testing provisions. It would make pre-employment testing voluntary for employers.

Timetable:

Action	Date	FR Cite
NPRM	05/09/96	61 FR 21149
NPRM Comment Period End	07/08/96	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: This action involves four operating administrations: FAA, FHWA, FTA, and FRA. On May 10, 1995 (60 FR 24765), DOT suspended its pre-employment alcohol testing requirements after a court decision vacated the requirements of the FHWA alcohol testing rule.

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RIN: 2105-AC50

2337. +PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN AIRPORT CONCESSIONS

Priority: Other Significant

Legal Authority: PL 102-581; PL 97-248

CFR Citation: 49 CFR 23

Legal Deadline: None

Abstract: This action would implement changes to the Airport and Airway Improvement Act to allow airport sponsors to count new forms of disadvantaged business enterprise (DBE) participation toward the overall goals of a DBE concession plan. These new forms include purchases from DBEs of goods and services used in operating a concession, as well as management contracts and subcontracts with DBEs. This action was initially begun in an NPRM 10/6/93, 58 FR 52050, RIN 2105-AB99. It was then combined in the DBE general update and comments were received in response to an SNPRM of 5/30/95, 62 FR 29548. However, when the general update rule was published 2/2/99, 64 FR 5096, RIN 2105-AB92, the airport concessions issue was once again separated. This action is significant because of substantial public interest.

DOT—OST

Final Rule Stage

Timetable:

Action	Date	FR Cite
SNPRM (Published under RIN 2105-AB92)	05/30/97	62 FR 29548
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Local

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RIN: 2105-AC76**2338. ELECTRONIC FILING OPTION IN DOT PROCEEDINGS****Priority:** Info./Admin./Other**Legal Authority:** 49 USC 322; 49 USC 1655; 49 USC 1657; 45 USC 431**CFR Citation:** 14 CFR 11**Legal Deadline:** None

Abstract: This action amends existing rules, where necessary, to allow electronic filing in all DOT proceedings as an alternative to filing hard copy. The electronic filing option will help us serve the public more quickly and efficiently and will enable the public to participate more easily in DOT proceedings. This rulemaking addresses only the procedures for filing electronically, not technical issues such as media, word-processing formats, and mechanisms for payment of filing fees.

Timetable:

Action	Date	FR Cite
Notice Requesting Comment	05/26/98	63 FR 28545
Comment Period End	07/27/98	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: This is a procedural change that presents no substantive issue that we could reasonably expect to produce further meaningful comment. It also will

relieve a restriction. Therefore, good cause exists to publish this rule without prior formal notice and comments.

Agency Contact: Charlotte Boeck, Administrative Officer, Office of the General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20015
Phone: 202 366-4713

RIN: 2105-AC79**2339. NONDISCRIMINATION IN AIR TRAVEL; BOARDING WHERE LEVEL-ENTRY IS UNAVAILABLE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 41702; 49 USC 41705; 49 USC 41712**CFR Citation:** 14 CFR 382**Legal Deadline:** None

Abstract: This action requires air carriers and airports to work jointly to make lifts or other boarding devices available for aircraft, of whatever size, where level-entry loading bridges or existing lifts are not present. This action is intended to facilitate the boarding by individuals with disabilities on aircraft. It amends existing rules that implement the Air Carrier Access Act of 1986 and the Rehabilitation Act of 1973.

Timetable:

Action	Date	FR Cite
NPRM	08/26/99	64 FR 46611
NPRM Comment Period End	11/24/99	
Final Rule	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 2105-AC81**2340. STANDARD TIME ZONE BOUNDARY IN THE STATE OF NEVADA: PROPOSED RELOCATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 260 to 267**CFR Citation:** 49 CFR 71; 49 CFR 159(a)**Legal Deadline:** None

Abstract: This action responds to a request of the City of West Wendover, Nevada. It would relocate the boundary between Pacific and Mountain time in the State of Nevada to move West Wendover, Nevada from the Pacific Time Zone to the Mountain Time Zone.

Timetable:

Action	Date	FR Cite
NPRM	07/26/99	64 FR 40331
NPRM Comment Period End	09/24/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: A hearing was held in West Wendover, Nevada on August 11, 1999.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2105-AC82**2341. +UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS****Priority:** Other Significant**Legal Authority:** 49 USC 322(a)**CFR Citation:** 49 CFR 19**Legal Deadline:** None

Abstract: This action implements changes to OMB Circular A-110 that were issued by OMB on October 8, 1999, providing uniform guidance for administering grants to institutions of higher education, hospitals, and other nonprofit organizations. The change provides guidance on making data produced under awards available to the public. The regulation is essentially a word-for-word issuance of the

DOT—OST

Final Rule Stage

requirements in OMB Circular A-110. An interim final rule was issued because of the limited ability to change the requirements from those in the Circular.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/16/00	65 FR 14406
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2105-AC83

2342. • +AMERICANS WITH DISABILITIES ACT ACCESSIBILITY STANDARDS

Priority: Other Significant

Legal Authority: 5 USC 552a

CFR Citation: 49 CFR 27; 49 CFR 37

Legal Deadline: None

Abstract: The Department of Transportation is proposing to amend its rules implementing the Americans with Disabilities Act (ADA) by adopting as its standards revised accessibility guidelines proposed by the Architectural and Transportation Barriers Compliance Board (Access Board). The Access Board published a notice of proposed rulemaking (NPRM) to revise and update the accessibility guidelines for the ADA and the Architectural Barriers Act (ABA) in the November 16, 1999 issue of the Federal Register. This proposed rule would adopt the Access Board's revised and updated ADA guidelines and make a conforming change to the Department's rule implementing the ADA.

Timetable:

Action	Date	FR Cite
NPRM	08/08/00	65 FR 48444
NPRM Comment Period End	09/07/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Blane A. Workie, Attorney, Department of Transportation, Office of the Secretary, Room 10424/C-50, 400 7th Street, SW, Washington, DC 20590
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RIN: 2105-AC86

2343. • PARTICIPATION BY MINORITY BUSINESS ENTERPRISES IN DEPARTMENT OF TRANSPORTATION FINANCIAL ASSISTANCE PROGRAMS: THRESHOLD REQUIREMENTS AND OTHER TECHNICAL REVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-178, TEA-21; PL 102-581

CFR Citation: 49 CFR 26.11 (Revision); 49 CFR 26.21 (Revision); 49 CFR 26.37 (Revision); 49 CFR 26.45 (Revision); 49 CFR 26.55 (Revision)

Legal Deadline: None

Abstract: This interim final rule changes threshold requirements for Federal Transit Administration and Federal Aviation Administration recipients to establish DBE programs and overall goals. Each August 1st, recipients must submit DBE goals for the following fiscal year. This change will reduce burdens on entities receiving smaller Federal grants. The DOT is issuing an interim final rule in order to reduce the burden, this fiscal year, for the smallest grant recipients. This document also makes technical changes to 49 CFR part 26.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/00	
Interim Final Rule Effective	12/00/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Laura Aguilar, Attorney, Department of Transportation, Office of the Secretary, C-10, Room 10102
Phone: 202 366-0365
Fax: 202 366-9170
Email: laura.aguilar@ost.dot.gov

RIN: 2105-AC89

2344. • STATEMENT OF POLICY ON ALTERNATIVE DISPUTE RESOLUTION

Priority: Info./Admin./Other

Legal Authority: 5 USC 571 to 583; 5 USC 561 to 570

CFR Citation: None

Legal Deadline: None

Abstract: This Statement of Policy on Alternative Dispute Resolution (ADR) is intended to provide information about ADR, introduce new ADR initiatives and promote the use of ADR. DOT will use ADR to advance its mission by preventing, minimizing escalation of, and resolving disputes among employees and with external parties.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Judith S. Kaleta, Senior Counsel for Dispute Resolution, Department of Transportation, Office of the Secretary, Room 10428, 400 Seventh Street, SW, Washington, DC 20590

Phone: 202 366-0992

Fax: 202 366-3388

RIN: 2105-AC94

2345. • OVER THE ROAD BUSES: EXTENSION OF DUE DATE FOR INFORMATION COLLECTION

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 12101-12213; 49 USC 322

CFR Citation: 49 CFR 37

Legal Deadline: None

Abstract: The Department of Transportation is amending its Americans with Disabilities Act regulations concerning accessibility of over-the-road buses with respect to information collection requirements by postponing until January 2001 the requirement for bus companies to submit information reporting ridership on accessible fixed route service and the acquisition of buses.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

DOT—OST

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Blane A. Workie,
Attorney, Department of
Transportation, Office of the Secretary,
Room 10424/C-50, 400 7th Street, SW,
Washington, DC 20590

Phone: 202 366-4723
TDD Phone: 202 755-7687
Email: blane.workie@ost.dot.gov

RIN: 2105-AC98**Department of Transportation (DOT)****Long-Term Actions****Office of the Secretary (OST)****2346. POLICY STATEMENT ON
AIRLINE PREEMPTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 41713**CFR Citation:** 14 CFR 399**Legal Deadline:** None

Abstract: The Civil Aeronautics Board in 1979 issued an interim Policy Statement on preemption. It discusses the policy of the Department with respect to three areas in which State law has been preempted by the Airline Deregulation Act of 1978: regulation of commuter air carriers and air taxis, the rights of airport proprietors, and general State authority as it directly or indirectly affects air transportation competition. The Supreme Court has classified that section 105 of the ADA preempts even indirect State regulation that "has a connection with or reference to" airline rates, routes, or services, but does not preempt State contract law with respect to interpretation and enforcement of agreements voluntarily entered into by air carriers. Other courts continue to issue decisions applying this provision to a multitude of different circumstances. The Department believes that this process of exploring the interpretation of section 105 will continue, and is considering the admissibility of terminating this proceeding.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/15/79	44 FR 9948
Request for Comments on Interim Rule	02/15/79	44 FR 9953
Comment Period End	04/16/79	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses,
Governmental Jurisdictions**Government Levels Affected:** State,
Local, Federal

Additional Information: PSDR-56,
Docket 34684 The 1995 decision issued
by the Supreme Court is American
Airlines v. Wolens (S. Ct. No. 93-1286).

Agency Contact: Paul Smith, Attorney,
Department of Transportation, Office of
the Secretary, 400 Seventh Street SW.,
Washington, DC 20590
Phone: 202 366-9285

RIN: 2105-AA46**2347. +STATEMENT OF
ENFORCEMENT POLICY ON
REBATING****Priority:** Other Significant

Legal Authority: 5 USC 601; 49 USC
1301 to 1302; 49 USC 1305; 49 USC
1324(a); 49 USC 1371 to 1379; 49 USC
1381 to 1382; 49 USC 1384; 49 USC
1386; 49 USC 1461; 49 USC 1481 to
1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 399.80; 14 CFR
399.85**Legal Deadline:** None

Abstract: The Department is proposing to provide formal notice to the public of its enforcement policy concerning the rebating of international air fares by adopting that policy as a Policy Statement in the regulations. No change in the substance of that policy is intended. The Department also proposes to revoke an existing Policy Statement on the advertising of rebates that is contrary to DOT's current enforcement policy. The proposal responds to a request for such action by the American Society of Travel Agents. The proposed regulation is significant because it involves important departmental policies and substantial industry interest.

Timetable:

Action	Date	FR Cite
NPRM	10/21/88	53 FR 41353
NPRM Comment Period End	12/20/88	
NPRM Comment Period Extended	02/03/89	
Correction	02/10/89	54 FR 6475

Action	Date	FR Cite
Extended Comment Period End	02/21/89	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Betsy Wolf, Senior
Trial Attorney, Office of the General
Counsel, Department of Transportation,
Office of the Secretary, 400 Seventh
Street SW., Washington, DC 20590
Phone: 202 366-9349

RIN: 2105-AB39**2348. +ACCESSIBILITY OF
PASSENGER VESSELS TO
INDIVIDUALS WITH DISABILITIES****Priority:** Other Significant

Legal Authority: 42 USC 12101 et seq;
PL 101-336, Americans with
Disabilities Act

CFR Citation: 49 CFR 37**Legal Deadline:** None

Abstract: The Department's Americans with Disabilities Act (ADA) final rule, published September 6, 1991 (56 FR 45584), reserved portions of the rule concerning passenger vessels. The ADA covers passenger vessels, but issuing accessibility requirements for vessels involves complex issues unlike those affecting land transportation. This action will address these issues and propose feasible requirements to make passenger vessels accessible to, and usable by, individuals with disabilities. DOT is participating in an ongoing advisory committee effort convened by the Access Board to study passenger vessel accessibility issues. September and November 1998 meetings were held. This rulemaking is considered significant because of substantial public and congressional interest.

DOT—OST

Long-Term Actions

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306
TDD Phone: 202 755-7687
Email: bob.ashby@ost.dot.gov

RIN: 2105-AB87

2349. USE OF OXYGEN BY AIR CARRIER PASSENGERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 41705

CFR Citation: 14 CFR 382

Legal Deadline: None

Abstract: The Department is considering the use of regulatory negotiation to seek consensus among air carriers, consumers, airports, equipment manufacturers, oxygen suppliers, and safety regulators concerning the use of oxygen by passengers on air carriers when individuals need special private supplies. The need for action stems from a current situation where all carriers do not allow passengers to bring their own oxygen aboard. Issues involve conformance with RSPA and FAA hazardous materials rules and the question of providing oxygen during long layovers. The Department is considering whether to begin a regulatory negotiation.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306
TDD Phone: 202 755-7687
Email: bob.ashby@ost.dot.gov

RIN: 2105-AC29

2350. +DOMESTIC PASSENGER MANIFEST INFORMATION

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 40101; 49 USC 40113 to 40114; 49 USC 41702; 49 USC 41708 to 41709; 49 USC 41711; 49 USC 46301; 49 USC 46310; 49 USC 46316

CFR Citation: 14 CFR 243

Legal Deadline: None

Abstract: This notice requested comments concerning operational and cost issues related to U.S. air carriers collecting information such as full name, date of birth and/or social security number, emergency contact and telephone number from passengers traveling on flights within the United States. This notice was issued on the Department's initiative in response to difficulties with notification in the aftermath of domestic aviation disasters and to comply with a recommendation contained in the initial report of the White House Commission on Aviation Safety and Security (1996) that urged the Department to explore immediately the costs and effects of a comprehensive passenger manifest requirement on the domestic aviation system. DOT will review the implementation of the international passenger manifest requirements (RIN 2105-AB78, 2/18/98, 63 FR 8258) as it determines how to proceed with this rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	03/13/97	62 FR 11789
ANPRM Comment Period End	05/12/97	
Comment Period Reopened	05/30/97	62 FR 29313
Comment Period End	06/20/97	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Bernestine Allen, Director, Office of International Transportation and Trade, Department of Transportation, Office of the Secretary, X-20, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4368

RIN: 2105-AC62

2351. +ENFORCEMENT POLICY: UNFAIR EXCLUSIONARY CONDUCT IN THE AIR TRANSPORTATION INDUSTRY

Priority: Other Significant

Legal Authority: 49 USC 41712

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This proposed statement was developed in consultation with the Department of Justice and sets forth tentative findings and guidelines for use by DOT in evaluating whether major air carriers' competitive responses to new entry warrant enforcement action. This action is significant because it is a major policy initiative of the Department.

Timetable:

Action	Date	FR Cite
Request for Comments	04/10/98	63 FR 17919
Comment Period Extended	05/21/98	63 FR 28021
Comment Period End	06/09/98	
Extended Comment Period End	07/24/98	
Reply Comment Period End	09/08/98	
Reply Comment Period Extended	09/14/98	63 FR 49150
Extended Reply Comment Period End	09/25/98	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Additional Information: The Department co-sponsored with the publishers of Aviation Week and Space Technology, the "Deregulation 20 Summit" on September 23 and 24, 1998 in Washington, DC.

Agency Contact: Randall Bennett, Acting Director, Office of Aviation Analysis, Department of Transportation, Office of the Secretary, X-50, 400 Seventh Street SW., Washington, DC 20590

DOT—OST

Long-Term Actions

Phone: 202 366-1053

RIN: 2105-AC72

Department of Transportation (DOT)
Office of the Secretary (OST)

Completed Actions

2352. SMOKING ABOARD AIRCRAFT**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 1324; 49 USC 1374; 49 USC 1377; 49 USC 1386; PL 101-164**CFR Citation:** 14 CFR 252**Legal Deadline:** None

Abstract: This interim final rule amends the rules governing smoking aboard aircraft to incorporate a statutory ban on smoking aboard most U.S. flight segments. The statutory ban applies to both U.S. and foreign air carriers. This rulemaking clarifies the current rule and makes other minor changes. The interim final rule was significant because of substantial public interest. The present action finalizes initiatives already taken and is, therefore, not considered significant. Issues addressed in this rule were included in a final rule entitled "Smoking Aboard Aircraft" under RIN 2105-AC85.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/13/90	55 FR 4991
Interim Final Rule Effective	02/25/90	
Interim Final Rule Comment Period End	04/16/90	
Final Action	06/09/00	65 FR 36771

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Additional Information: ANALYSIS: Regulatory Evaluation, 02/13/90, 55 FR 4991

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AB58

2353. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322(a)**CFR Citation:** 49 CFR 19**Legal Deadline:** None

Abstract: This action implements OMB Circular A-110, providing uniform guidance for administering grants to institutions of higher education, hospitals, and other nonprofit organizations. The regulation is essentially a word-for-word issuance of the requirements in OMB Circular A-110. An interim final rule was issued because of the limited ability to change the requirements from those in the Circular.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/04/94	59 FR 15637
Comment Period End	06/03/94	
Duplicate of RIN 2105-AC83	10/25/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses**Government Levels Affected:** State, Local

Agency Contact: Robert G. Taylor, Chief, Grants Management Division, Senior Procurement Executive, Department of Transportation, Office of the Secretary, M-62, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4289

RIN: 2105-AC02

2354. REPEAL OF TRAFFIC RESTRICTIONS TO NORTH KOREA**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 1653; 50 USC app 2154; 50 USC app 2071; EO 12919**CFR Citation:** 44 CFR 403; 49 CFR 1**Legal Deadline:** None

Abstract: The Departments of Commerce and Transportation are proposing to amend their restrictions on shipping to North Korea. Currently, United States ships and aircraft are prohibited from traveling to or transporting goods to, or destined for, North Korea. In view of the U.S. policy to facilitate the gradual improvement of relations with North Korea, the two departments are proposing to provide for waivers under narrowly defined circumstances such as shipments for humanitarian relief. Shipments such as routine commercial trade would remain prohibited. This action includes a delegation of authority from the Secretary of Transportation to the Assistant Secretary of Transportation for Aviation and International Affairs to grant waivers of these restrictions.

Timetable:

Action	Date	FR Cite
Final Rule	06/19/00	65 FR 38164

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Jeff D. Rupp, Office of the General Counsel for International Law, Department of Transportation, Office of the Secretary, 400 Seventh Street SW, Washington, DC 20593
Phone: 202 366-2972

Kip Tourtellot, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 472-5621

RIN: 2105-AC70

2355. STANDARD TIME ZONE BOUNDARY IN THE STATE OF KENTUCKY; PROPOSED RELOCATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 260 to 267**CFR Citation:** 49 CFR 71**Legal Deadline:** None

DOT—OST

Completed Actions

Abstract: This action responds to the request of the Wayne County, Kentucky, Fiscal Court. It relocates the boundary between Eastern time and Central time in the State of Kentucky. It would move Wayne County from the central time zone to the eastern time zone.

Timetable:

Action	Date	FR Cite
NPRM	06/21/99	64 FR 33035
NPRM Comment Period End	08/20/99	
Final Rule	10/21/99	64 FR 56705
Final Action	08/17/00	65 FR 50154

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: A public hearing was held in Monticello, Kentucky 6/24/99.

Agency Contact: Joanne Petrie, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2105-AC80

2356. CREDIT ASSISTANCE FOR SURFACE TRANSPORTATION PROJECTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: PL 105-206, 112 Stat 685, 849

CFR Citation: 49 CFR 80

Legal Deadline: None

Abstract: The DOT proposes to revise certain provisions of the regulation concerning the Transportation Infrastructure Finance and Innovation Act (TIFIA) as follows: assign specific weights to each of the eight statutory selection criteria; specify that loan servicing fees are to be paid by the borrower; modify the time period for audited financial statements from 120 days to 180 days; provide that, consistent with the statutory intent of the TIFIA program, administrative offset will be employed only in cases of fraud, misrepresentation, or criminal acts, but will not be employed as a result of revenue shortfall; require that the borrower enter into an escrow agreement; provide for a waiver of

regulatory provisions by the Secretary; define and clarify the use of a master credit agreement and subsequent series loan agreements to fund a secured (direct) loan or a line of credit; and clarify that the borrower must satisfy the stature's investment grade rating requirement prior to both execution of a master credit agreement and execution of subsequent series loan agreements and must obtain ongoing credit surveillance for the life of the TIFIA credit instrument. These proposed revisions are made at the DOT's initiative to clarify certain aspects of the regulation based on experience from the first year of program implementation.

Timetable:

Action	Date	FR Cite
Duplicate of RIN 2105-AC87	10/25/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephanie Kaufman, Department of Transportation, Office of the Secretary, B-10, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 366-9654

RIN: 2105-AC84

2357. • SMOKING ABOARD AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-181; PL 101-164

CFR Citation: 14 CFR 252

Legal Deadline: Final, Statutory, June 4, 2000.

Abstract: DOT issued a final rule to implement a recent statutory ban on smoking aboard aircraft in scheduled passenger interstate, intrastate and foreign air transportation. It also finalized a 1990 Interim Final Rule (RIN 2105-AB58) that incorporated a statutory ban on smoking aboard aircraft on almost all flight segments within the United States, codified a blanket waiver concerning single-entity charters and made other clarifying changes. This final rule also responded to a petition for rulemaking to prohibit smoking aboard commercial aircraft.

Timetable:

Action	Date	FR Cite
Final Action	06/09/00	65 FR 36771

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Arnold Konheim, Senior Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4849
Email: arnold.konheim@ost.dot.gov

RIN: 2105-AC85

2358. • CREDIT ASSISTANCE FOR SURFACE TRANSPORTATION PROJECTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-178, 112 Stat. 107; PL 105-206, 112 Stat. 685, 849; 23 USC 181-189

CFR Citation: 49 CFR 80

Legal Deadline: None

Abstract: This rule revises the regulations governing TIFIA to: clarify that funds will be disbursed based on a project's anticipated financing needs; clarify that a borrower must obtain ongoing credit surveillance for the life of the TIFIA credit instrument; assign specific weights to each of the eight statutory selection criteria; specify that loan servicing fees are to be paid by the borrower; modify the time period for audited financial statements from 120 days to within no more than 180 days; and provide that administrative offsets will be employed only in cases of fraud, misrepresentation, or criminal acts, and will not be employed as a result of revenue shortfall.

Timetable:

Action	Date	FR Cite
Final Action	07/19/00	65 FR 44936
Final Action Effective	08/18/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Blane A. Workie, Attorney, Department of Transportation, Office of the Secretary, Room 10424/C-50, 400 7th Street, SW, Washington, DC 20590
Phone: 202 366-4723
TDD Phone: 202 755-7687
Email: blane.workie@ost.dot.gov

RIN: 2105-AC87

DOT—OST

Completed Actions

2359. • PARTICIPATION BY MINORITY BUSINESS ENTERPRISES IN DOT PROGRAMS; 2000 INFLATIONARY ADJUSTMENT OF SIZE LIMITS ON SMALL BUSINESSES PARTICIPATING IN DOT'S DBE PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-178; TEA-21; PL 102-581**CFR Citation:** 49 CFR 26**Legal Deadline:** None**Abstract:** This notice adjusts the cap for DBE qualifications as permitted by Stat (TEA-21, Sec.1101(b)(2)(A). This adjustment is made for inflation from July 1998-March 2000.**Timetable:**

Action	Date	FR Cite
Notice	08/29/00	65 FR 52470

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local

Agency Contact: Laura Aguilar, Attorney, Department of Transportation, Office of the Secretary, C-10, Room 10102
 Phone: 202 366-0365
 Fax: 202 366-9170
 Email: laura.aguilar@ost.dot.gov

RIN: 2105-AC90**2360. • CIVIL PENALTIES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 106-181**CFR Citation:** 14 CFR 383**Legal Deadline:** None

Abstract: The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR, Pub. L. 106/181; 114 Stat. 61; April 5, 2000) revised several civil penalty provisions applicable to violations of the aviation economic requirements of Title 49. By this rule, the Department is modifying 14 CFR part 383 to reflect these revised civil penalties. This rule also reviews those civil penalties unaffected by the recent statutory amendments to determine whether they should be adjusted to recognize inflation that has occurred since the adoption of part 383 in 1997. This review is required under the Federal Civil Penalties Inflation Adjustment Act of 1990 and the Debt Collection Improvement Act of 1996.

Timetable:

Action	Date	FR Cite
Final Action	10/16/00	65 FR 61089
Final Action Effective	11/15/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Nicholas Lowry, Attorney, Department of Transportation, Office of the Secretary
 Phone: 202 366-9349

RIN: 2105-AC92**2361. • +NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE****Priority:** Other Significant**Legal Authority:** 20 USC 1682 et seq**CFR Citation:** 49 CFR 25**Legal Deadline:** None

Abstract: This common final rule provides for the enforcement of Title IX of the Education Amendments of 1972, as amended (Title IX). Title IX prohibits recipients of Federal financial assistance from discriminating on the basis of sex in education programs or activities. The promulgation of these Title IX regulations will provide guidance to recipients of Federal financial assistance who administer education programs or activities. The provisions of this common rule will also promote consistent and adequate enforcement of Title IX.

Timetable:

Action	Date	FR Cite
Final Action	08/30/00	65 FR 52858
Final Action Effective	09/29/00	65 FR 52858

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local

Agency Contact: Blane A. Workie, Attorney, Department of Transportation, Office of the Secretary, Room 10424/C-50, 400 7th Street, SW, Washington, DC 20590
 Phone: 202 366-4723
 TDD Phone: 202 755-7687
 Email: blane.workie@ost.dot.gov

RIN: 2105-AC95
Department of Transportation (DOT)
U.S. Coast Guard (USCG)
Proposed Rule Stage**2362. VESSEL IDENTIFICATION SYSTEM (USCG-1999-6420)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 2103; 46 USC 12501**CFR Citation:** 33 CFR 174; 33 CFR 187**Legal Deadline:** None

Abstract: Shipping legislation requires the Secretary of Transportation to establish a Vessel Identification System (VIS). This rulemaking prescribes the manner and form for participating

States to make information available for VIS; to establish guidelines for State vessel titling systems; and to establish procedures for certifying compliance with those guidelines. This rulemaking supports the Coast Guard's strategic goal of maritime mobility.

Timetable:

Action	Date	FR Cite
ANPRM	09/15/89	54 FR 38358
ANPRM Comment Period End	12/14/89	
NPRM	10/05/93	58 FR 51920

Action	Date	FR Cite
Correction	10/15/93	58 FR 53624
NPRM Comment Period End	01/03/94	
NPRM Comment Period Reopened	02/24/94	
NPRM Comment Period End	03/28/94	
Interim Rule	04/25/95	60 FR 20310
Comment Period End	07/24/95	
NPRM Comment Period Reopened	10/17/95	
NPRM Comment Period End	12/31/95	

DOT—USCG

Proposed Rule Stage

Action	Date	FR Cite
Change in Effective Date	02/23/96	61 FR 6943
NPRM Comment Period Reopened	10/20/97	
Change in Effective Date	04/21/98	63 FR 19657
IR Change in Effective Date	04/19/99	64 FR 19039
Final Rule Removing Subpart D	10/22/99	64 FR 56965
Supplemental NPRM	02/16/00	65 FR 7926
SNPRM Comment Period End	05/16/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: The effective date of April 24, 1996, applies to all provisions in this Interim Final Rule other than 33 CFR part 187, subpart D, which was withdrawn October 22, 1999, 64 FR 56965. Subpart D will be proposed in an SNPRM.

ANALYSIS: Regulatory Evaluation, 10/05/93, 58 FR 51920

This rulemaking was previously docketed under CGD 89-050.

Agency Contact: LCDR Nancy Goodridge, Project Manager, G-MRI, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0254

RIN: 2115-AD35**2363. REPORTING MARINE CASUALTIES (USCG-2000-6927)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 6101; 33 USC 1901 et seq**CFR Citation:** 33 CFR 151; 46 CFR 4**Legal Deadline:** None

Abstract: This action would add to the definition of a reportable marine casualty, "significant harm to the environment." Some casualty reporting requirements are extended to include foreign tank vessels operating in U.S. waters, including the Exclusive Economic Zone. This project supports the Coast Guard's Marine Safety and Environmental Protection program's goal to reduce the consequence of pollution incidents and further supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
Request for Comments	12/20/94	59 FR 65522
Comment Period End	02/20/95	
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: This rulemaking was formerly docketed under (CGD 91-216).

Agency Contact: ENS Edward Jackson, Project Manager, G-MSR-2, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001
Phone: 202 267-6884

RIN: 2115-AD98**2364. +MARINE TRANSPORTATION-RELATED FACILITY RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (USCG-1999-5705)**

Regulatory Plan: This entry is Seq. No. 93 in Part II of this issue of the **Federal Register**.

RIN: 2115-AE87**2365. +TANK VESSEL RESPONSE PLANS FOR HAZARDOUS SUBSTANCES (USCG-1998-4354)**

Regulatory Plan: This entry is Seq. No. 94 in Part II of this issue of the **Federal Register**.

RIN: 2115-AE88**2366. NUMBERING OF UNDOCUMENTED BARGES (CGD 93-091) (USCG-1998-3798)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 12301**CFR Citation:** 33 CFR 189**Legal Deadline:** None

Abstract: Title 46 U.S.C. 12301, as amended by the Abandoned Barge Act of 1992, requires all undocumented barges more than 100 gross tons operating on the navigable waters of the United States be numbered. This rulemaking would establish a numbering system for these barges. The numbering of undocumented barges will allow identification of owners of barges found abandoned and help

prevent future marine pollution. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
Request for Comments	10/18/94	59 FR 52646
Comment Period End	01/17/95	
ANPRM	07/06/98	63 FR 36384
ANPRM Comment Period End	11/03/98	
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Thomas Willis, Project Manager, National Vessel Documentation Center, Department of Transportation, U.S. Coast Guard, 792 T. J. Jackson Dr, Falling Waters, WV 25419-9502
Phone: 304 271-2506

RIN: 2115-AF13**2367. OUTER CONTINENTAL SHELF ACTIVITIES (USCG-1998-3868)****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1333(d)(1); 43 USC 1348(c); 43 USC 1356**CFR Citation:** 33 CFR 140 to 147**Legal Deadline:** None

Abstract: This project would revise the regulations on Outer Continental Shelf (OCS) activities to: add new requirements for fixed OCS facilities for lifesaving, fire protection, training, hazardous materials used as stores, and accommodation spaces; require foreign vessels engaged in OCS activities to comply with requirements similar to those imposed on U.S. vessels similarly engaged; and allow all mobile inland drilling units (MIDUs) to operate on the OCS out to a defined boundary line if they meet requirements for lifesaving, firefighting, and operations similar to those for fixed OCS facilities. This project would affect the owners and operators of facilities and vessels engaged in offshore activities associated with the exploration for, development of, or production of, the resources of the OCS. The preliminary estimate of costs imposed by these amendments varies according to the unit. The Coast Guard is consulting with the Minerals Management Service, part of the

DOT—USCG

Proposed Rule Stage

Department of the Interior. This project supports the Coast Guard's Marine Safety and Environmental Protection program's goal of reducing deaths and injuries and reducing the amount of oil discharged into the marine environment. It also supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
Request for Comments	06/27/95	60 FR 33185
Comment Period End	09/25/95	
NPRM	12/07/99	64 FR 68416
NPRM Correction	02/22/00	65 FR 8671
NPRM Comment Period Extended	03/16/00	
NPRM Comment Period Extended	06/30/00	65 FR 40559
NPRM Comment Period End	11/30/00	
Final Action	06/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The Notice of Request for Comments published 27 June 1995, was assigned Coast Guard docket number 95-016. Following the request for comments this docket was terminated. This project continues under docket CGD 96-068 and RIN 2115-AF39.

Agency Contact: James Magill, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-1082

RIN: 2115-AF39

2368. CARRIAGE OF BULK SOLID MATERIALS REQUIRING SPECIAL HANDLING (USCG-2000-6932)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1321; 46 USC 3306; 46 USC 3703; 46 USC 5111; 46 USC 6101; 49 USC 1804; EO 11735; EO 12234

CFR Citation: 46 CFR 90; 46 CFR 97; 46 CFR 148

Legal Deadline: None

Abstract: This project will add materials carried with Special Permits issued under Coast Guard regulations and other materials contained in the International Maritime Organization Code of Safe Practice for Solid Bulk Cargoes (IMO Bulk Solids Code, or "BC Code"), including coal, to the list of materials permitted under the regulations. The special handling procedures associated with these materials are also included in the new rules. The revisions will harmonize U.S. regulations with recommended international practice, and eliminate the need to apply for Special Permits, except for newly classified hazardous materials. This project supports the Coast Guard's strategic goal of marine safety and mobility.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Additional Information: This project was initiated with an ANPRM (28 April 1989), and further developed in an NPRM (12 April 1994). In prioritizing resources, it was terminated on 13 April 1995. This regulatory project can now be reinitiated. Based on comments to the docket (previously CGD 87-069 and CGD 97-037), this is a non-controversial amendment to existing regulations.

Agency Contact: Brian Robinson, Project Manager, G-MSO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0018

RIN: 2115-AF47

2369. FIRE-SUPPRESSION SYSTEMS AND VOYAGE-PLANNING FOR TOWING VESSELS (USCG 2000-6931)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3719; 46 USC 4102

CFR Citation: 33 CFR 157; 46 CFR 27

Legal Deadline: NPRM, Statutory, October 1, 1997.

Abstract: The Coast Guard proposes requirements for (a) total flooding or

other installed systems for suppressing fires on existing towing vessels and (b) voyage planning. The purpose of this rulemaking is to reduce oil spills from single-hull, non-self-propelled barges. Drifting oil barges have run aground and spilled their cargoes, causing considerable damage to marine life and the environment. This project was developed in cooperation with the Towing Safety Advisory Committee. This project supports the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	10/06/97	62 FR 52057
Comment Period End	01/05/98	
Reopening of Comment Period	02/27/98	63 FR 9980
Notice of Public Meeting	02/27/98	63 FR 9980
Comment Period End	05/11/98	
SNPRM	10/00/00	
Second NPRM Comment Period End	12/00/00	
Final Rule	12/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: This rulemaking was formerly titled "Towing Vessel Safety (Fire Suppression Systems and Other Measures for Towing Vessels)" (CGD 97-064). It originally proposed requirements for three sets of issues relative to the safety of towing vessel safety issues: Fire-suppression systems and other measures, Control measures for tank barges, and fire-protection measures for towing vessels. The latter two components have developed into separate rulemakings: Emergency Control Measures for Tank Barges (USCG 1998-4443) (RIN 2115-AF65) and Fire Protection Measures for Towing Vessels (USCG 1998-4445) (RIN 2115-AF66).

Agency Contact: Randall Eberly, Project Manager, G-MSE-4, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-1861

RIN: 2115-AF53

DOT—USCG

Proposed Rule Stage

2370. POLLUTION PREVENTION FOR OCEANGOING SHIPS AND CERTAIN VESSELS IN DOMESTIC SERVICE (USCG-2000-7641) PREVIOUS DOCKET (CGD 97-072)**Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 2103; 46 USC 3306; 46 USC 3703; 33 USC 1231; 33 USC 1321(j); 33 USC 1903**CFR Citation:** 33 CFR 151; 33 CFR 155; 33 CFR 157; 46 CFR 170; 46 CFR 172**Legal Deadline:** None

Abstract: This rulemaking concerns pollution prevention and the operational discharge of oil from vessels. It will align existing regulations on oil-water separators, operational discharge, damage and intact stability, and term of validity of International Oil Pollution Prevention Certificates with recent amendments under the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL). It will affect U.S.-flagged tank ships of 150 gross tons or more and other U.S.-flagged ships of 400 gross tons or more. It will eliminate or reduce requirements for shore connections on certain vessels of 100 gross tons or more. This project supports the Coast Guard's Marine Safety and Environmental Protection program's goal to reduce the amount of oil discharged into United States waters from maritime sources by 20 percent, and the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** No additional information.

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0225

RIN: 2115-AF56**2371. +SALVAGE AND FIREFIGHTING EQUIPMENT; VESSEL RESPONSE PLANS (USCG-1998-3417)****Regulatory Plan:** This entry is Seq. No. 95 in Part II of this issue of the **Federal Register**.**RIN:** 2115-AF60**2372. DEEPWATER PORTS (USCG-1998-3884)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1503**CFR Citation:** 33 CFR 148 to 150**Legal Deadline:** None

Abstract: The purpose of this rulemaking is to update the Deepwater Port Regulations. Section 502 of the Coast Guard Authorization Act of 1996 necessitates changes to the Deepwater Port current regulations. These regulations were developed in the 1970s when there were no deepwater ports in the United States. The Coast Guard will be revising the regulations to: remove from the regulations, and place in the license conditions, those requirements which belong in the license conditions; and remove from the regulations those things which can be addressed in an operations manual. The Coast Guard will also consider revising the regulations to address technological advancements and operational experience gained over the last 20 years. In accordance with section 610 of the Regulatory Flexibility Act, the Coast Guard is also reviewing these regulations for their impacts on small businesses and the potential to reduce any such impacts. Public comment on small business impacts is specifically requested. This rulemaking will encompass a complete review of the Deepwater Port Regulations. This project supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
ANPRM	08/29/97	62 FR 45774
ANPRM Comment Period End	10/13/97	
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

Additional Information: ANPRM was published under docket (USCG-1998-4441). This docket number is replaced with (USCG-1998-3884).

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0225

RIN: 2115-AF63**2373. CERTIFICATION OF NAVIGATION LIGHTS FOR UNINSPECTED COMMERCIAL VESSELS AND RECREATIONAL VESSELS (CGD 97-060)(USCG 1999-6580).****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 2071; 33 USC 1602; 33 USC 1607**CFR Citation:** 33 CFR 84; 33 CFR 181; 33 CFR 183; 46 CFR 111**Legal Deadline:** None

Abstract: This rule will place navigation lights for recreational vessels and uninspected commercial vessels under regulatory control similar to that already in place for inspected commercial vessels. Specifically, it will require certification that installed navigation lights are in compliance with the Navigation Rules specifications, as evidenced by laboratory testing to a performance standard; this level of control is currently in place for other items of safety equipment. This action is in accordance with recommendations made by the National Boating Safety Advisory Council (NBSAC), the Navigation Safety Advisory Council (NAVSAC), and the National Association of State Boating Law Administrators (NASBLA). This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	08/04/00	65 FR 47936
NPRM Comment Period End	10/03/00	
Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

DOT—USCG

Proposed Rule Stage

Additional Information: This rulemaking was formerly titled Certification of Navigation Lights on Recreational Vessels (CGD 97-060).

Agency Contact: Randolph J. Doubt, Project Manager, G-OPB-3, Department of Transportation, U.S. Coast Guard, 2100 Second Steet SW, Washington, DC 20593-0001
Phone: 202 267-6810

RIN: 2115-AF70

2374. VESSEL DOCUMENTATION (USCG-1998-4784)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 12103(d); 46 USC 31321(a)

CFR Citation: 46 CFR 67

Legal Deadline: None

Abstract: This rulemaking will propose regulations to: (1) combine a Manufacturer's Certificate of Origin (MCO) with the Builder's Certificate (form CG12-1261); (2) require that the Hull Identification Number (HIN) be included on the Application for Documentation of recreational vessels for those vessels required to have an assigned HIN; (3) require the submission of the original state title, or if not a state title, the original State registration and/or official replacements issued by a titling/registering authority when documentation is based on those methods of establishing title and; (4) establish procedures for electronic submission of instruments. These four initiatives offer increased efficiency of the vessel documentation process and increased fraud protection for vessel owners; implement statutory changes from the Coast Guard Authorization Act of 1996, (Pub. L.104-324); and implement statutory changes from the Coast Guard Authorization of 1998 (Pub. L.105-383). This rulemaking supports the Coast Guard's strategic goal of maritime mobility.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Dennis Nelson, Project Manager, Department of

Transportation, U.S. Coast Guard, National Vessel Documentation Center, 2039 Stonewall Jackson Drive, Falling Waters, WV 25419

Phone: 304 271-2400

RIN: 2115-AF71

2375. REVISION TO FEDERAL BLOOD ALCOHOL CONCENTRATION (BAC) STANDARD FOR RECREATIONAL VESSEL OPERATORS (USCG-1998-4593)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2302

CFR Citation: 33 CFR 95; 33 CFR 177

Legal Deadline: None

Abstract: This rulemaking will revise the Federal Blood Alcohol concentration (BAC) limit from .10 to .08 percent by weight to determine whether operators of recreational vessels are under the influence of alcohol. With respect to recreational vessels on navigable waters within State boundaries, the Coast Guard will continue to adopt BAC limits enacted by respective State jurisdictions. This rulemaking will revise the rule adopting State BAC limits to account for recent developments in State boating legislation by removing language referencing State statutory schemes that no longer exist. The new rule will add language to reference statutory schemes that have come into existence since the promulgation of the .10 Federal BAC limit for recreational vessels. This rulemaking will also insert the words "under the influence of alcohol, or a dangerous drug in violation of a law of the United States" in place of the word "intoxication" where it appears in the Code of Federal Regulations. That change will affect sections involving only operators of recreational vessels. The purpose of that change is to bring those regulations into conformity with the language of United State Code, as amended by the Oil Pollution Act of 1990. This rulemaking supports the Coast Guard's strategic goal of marines safety.

Timetable:

Action	Date	FR Cite
NPRM	03/16/00	65 FR 14223
NPRM Comment Period End	07/14/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: This project was formerly entitled, "Revised Blood Alcohol Concentration (BAC) Limit." It has been prioritized from Other Significant to Substantive Nonsignificant because the project no longer addresses commercial vessel operations. Changes affecting commercial vessel operations will be addressed in a separate future rulemaking.

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 2115-AF72

2376. VESSEL TRAFFIC SERVICE LOWER MISSISSIPPI RIVER (USCG-1998-4399)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223(a)

CFR Citation: 33 CFR 161; 33 CFR 164; 33 CFR 165

Legal Deadline: None

Abstract: This project proposes to establish a new Vessel Traffic Service (VTS) area in the Lower Mississippi River region. This Vessel Traffic Service Area (VTSA) will span from 20 miles north of Baton Rouge (mile 255 AHP) out to sea, including the South and Southwest Pass. As part of the VTSA, a VTS Special area will be designated between mile 93.5 and 95 AHP. Unlike traditional VTSs, which are based on radar and video surveillance and rely on voice communications by VHF-FM radio, when fully operational VTS Lower Mississippi will use Automatic Identification System transponder technology to perform the majority of both surveillance and information exchange. This rulemaking supports the Coast Guard's strategic goals of maritime safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	02/25/00	
NPRM	04/26/00	65 FR 24616
NPRM Comment Period Reopened	08/18/00	

DOT—USCG

Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	12/01/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: This project was originally entitled "Vessel Traffic Service Lower Mississippi/Automatic Identification System Carriage Requirement." The VTS LMR will retain RIN 2115-AF75. The AIS carriage requirement will be developed in a separate rulemaking.

Agency Contact: Jorge Arroyo, Project Manager, G-MWV, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0407

RIN: 2115-AF75**2377. VAPOR CONTROL SYSTEMS (USCG-1999-5150)****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1225; 33 USC 1231; 33 USC 1321; 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 39; 33 CFR 154.E**Legal Deadline:** None

Abstract: This project will revise the facility marine vapor control systems (VCS) safety regulations and the vessel VCS safety regulations. These existing regulations require revision to reflect new Federal and State air emissions control requirements, VCS technology developments, and to evaluate and minimize any significant economic impacts of the rules upon small entities. The revisions will also incorporate Coast Guard policies and guidelines developed to support the existing regulations and a Navigation and Vessel Inspection Circular which provides safety guidelines for the design and operation of a marine VCS at tank barge cleaning facilities. This project supports the Coast Guard Marine Safety and Environmental

Protection Program's goal to reduce crewmember deaths and injuries on U.S. commercial vessels, it seeks to reduce the amount of oil and chemicals discharged into the Nation's waterways, and it promotes the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	
Final Rule	11/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Sara Ju, Project Manager, G-MSO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-1217

RIN: 2115-AF78**2378. TRAINING AND QUALIFICATIONS FOR PERSONNEL ON PASSENGER SHIPS (USCG 1999-5610)****Priority:** Substantive, Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 71; 46 USC 73

CFR Citation: 46 CFR 12; 46 CFR 15; 46 CFR 1; 46 CFR 5; 46 CFR 7; 46 CFR 10

Legal Deadline: None

Abstract: This project will implement new amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW) that impose requirements for training and qualifications of masters, officers, engineers, and "ratings." The following training courses are mandatory for the personnel on passenger ships other than roll-on, roll-off, carrying more than 12 passengers operating on international voyages: (1) Crisis Management and Human Behavior; (2) Crowd Management; (3) Special Safety; (4) Passenger Safety, with special attention given to disabled persons and others needing assistance; and (5) Special Familiarization. This rulemaking supports the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	06/15/00	65 FR 37507
NPRM Comment Period End	09/13/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Mark Gould, Project Manager, G-MSO-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-6890

RIN: 2115-AF83**2379. RAISING THE THRESHOLD OF PROPERTY DAMAGE FOR REPORTS OF ACCIDENTS INVOLVING RECREATIONAL VESSELS (USCG-1999-6094)****Priority:** Substantive, Nonsignificant

Legal Authority: 46 USC 6101; 46 USC 6102

CFR Citation: 33 CFR 173; 33 CFR 174**Legal Deadline:** None

Abstract: This rule would increase the threshold for reporting recreational-boat accidents involving only property damage. Because of inflation since the threshold was last revised, the threshold now requires the reporting of a large number of minor accidents. These numbers distort the statistical base for the program in Recreational Boating Safety and increase the burden of paperwork on the boating public. Raising the threshold to an appropriate level would provide for a consistent statistical base and reduce the administrative burden on the Coast Guard and on States' accident-investigation personnel as well as the burden of paperwork on the boating public. This rule supports the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
NPRM	06/20/00	65 FR 38229
NPRM Comment Period End	10/18/00	
Final Rule	01/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

DOT—USCG

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Bruce Schmidt, Project Manager, G-OPB-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0327

RIN: 2115-AF87

2380. CITIZENSHIP STANDARDS FOR VESSEL OWNERSHIP AND FINANCING; AMERICAN FISHERIES ACT (USCG-1999-6095)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 2110; 46 USC 12102

CFR Citation: 46 CFR 67

Legal Deadline: NPRM, Statutory, April 1, 2000.

Abstract: This rulemaking will increase the percentage of stock required to be owned by U.S. citizens in corporations owning fishing vessels from 51 percent to 75 percent. The rulemaking will also provide that fisheries endorsements will become invalid if a documented fishing vessel is chartered or leased to a person who is not a citizen or to an entity which is ineligible to own a documented fishing vessel. In addition, regulatory restrictions must be developed prohibiting documentation of certain vessels with a fisheries endorsement if they are mortgaged to an entity not entitled to own documented fishing vessels. Finally, the regulations must be amended to reflect the repeal of the "grandfather" provisions of the Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987. This rulemaking supports the Coast Guard's strategic goal of protection natural resources.

Timetable:

Action	Date	FR Cite
NPRM	07/27/00	65 FR 46137
NPRM Correction	10/01/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: This rule was previously titled; Eligibility of U.S. Flag Vessels Measuring Less than 100 Feet To Obtain Commercial Fisheries Documents

Agency Contact: Thomas Willis, Project Manager, National Vessel

Documentation Center, Department of Transportation, U.S. Coast Guard, 792 T. J. Jackson Dr, Falling Waters, WV 25419-9502

Phone: 304 271-2506

RIN: 2115-AF88

2381. MARINE SHIPBOARD ELECTRICAL CABLE STANDARDS (USCG-1999-6096)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 110; 46 CFR 111

Legal Deadline: None

Abstract: This project will amend the marine shipboard electrical cable regulations by incorporating by reference standards (concerning technical specifications) that reflect the latest industry practices and Coast Guard policy. The new standards have already been examined under Coast Guard regulations and found to be comparable to current standards that are incorporated by reference. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6111
NPRM Comment Period End	05/08/00	
NPRM Comment Period Reopened	06/05/00	
NPRM Comment Period Extended	06/26/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: None

Agency Contact: Doleres Mercier, Project Manager (G-MSE-3), Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0658

RIN: 2115-AF89

2382. GREAT LAKES PILOTAGE RATES (USCG-1999-6098)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 9303(f)

CFR Citation: 46 CFR 401

Legal Deadline: None

Abstract: The Coast Guard conducts an annual review of the Great Lakes Pilotage rate based on the "Great Lakes Pilotage Rates Methodology" published in the Federal Register on May 9, 1996. Depending on the results of this review, the Coast Guard can make rate adjustments in accordance with the regulations or if the Director of Great Lakes Pilotage determines that pilotage rates are within a reasonable range of their target, make no adjustments to the rates. This rulemaking will reoccur annually after the "Notice of Annual Review" is published in the Federal Register and comments to that review are received. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	04/14/00	65 FR 20110
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Frank Flyntz, Project Manager, G-MW-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 276-6447

RIN: 2115-AF91

2383. SAFETY ZONE; OUTER CONTINENTAL SHELF PLATFORMS IN THE GULF OF MEXICO (CGD08-99-023)

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 85; 43 USC 1333; 49 CFR 1.46

CFR Citation: 33 CFR 147

Legal Deadline: None

Abstract: This regulation will establish safety zones around seven petroleum-producing platforms located in the Gulf of Mexico. These platforms are at risk from allision by vessels operating outside the Shipping Safety Fairways in the Gulf. The safety zones would keep these vessels from entering or remaining in the zones around the platforms and would protect the safety of life, property, and the environment. This rulemaking supports the Coast Guard's strategic goal of maritime safety.

DOT—USCG

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/26/99	64 FR 66434
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: LCDR Roderick Walker, Program Manager, Department of Transportation, U.S. Coast Guard, Eighth Coast Guard District, 501 Magazine Street, New Orleans, LA 70130
Phone: 504 589-3043
RIN: 2115-AF93

2384. REVISION OF AUXILIARY REGULATIONS (USCG-1999-6712)**Priority:** Substantive, Nonsignificant**Legal Authority:** 14 USC 633; 14 USC 892**CFR Citation:** 33 CFR 5**Legal Deadline:** None

Abstract: This project will revise regulations that govern the operation and administration of the Coast Guard Auxiliary. These regulations need to be changed to conform to the provisions of the Coast Guard Authorization Act of 1996 which amends the statutory authority for the Coast Guard Auxiliary. These provisions clarified the organization and status of the Auxiliary, broadened the role of the Auxiliary, and provided additional liability protection for Auxiliary members assigned to Coast Guard duty. This project supports the Coast Guard strategic goals of marine safety, mobility, maritime security, and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: CDR Robert Thomson, Project Manager, G-OCX-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-1012
RIN: 2115-AF94

2385. ALTERNATE HULL EXAMINATION PROGRAM FOR CERTAIN PASSENGER VESSELS, AND UNDERWATER SURVEYS FOR PASSENGER, NAUTICAL SCHOOL, AND SAILING SCHOOL VESSELS (USCG-2000-6858)**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 46 USC 3305; 46 USC 3308**CFR Citation:** 46 CFR 71; 46 CFR 115; 46 CFR 167; 46 CFR 169; 46 CFR 176**Legal Deadline:** None

Abstract: The regulatory project will establish hull examination alternatives and a drydock extension policy for qualifying passenger vessels that operate exclusively on benign, low-risk environments, and that have limited time under way. In addition, the proposed regulations would provide the option of alternating drydock examinations with underwater surveys for passenger vessels. This project supports the Coast Guard's strategic goal Marine Safety and Environmental Protection Program's goal of mobility by facilitating commerce and eliminate interruptions and impediments to the economical movement of goods and people.

Timetable:

Action	Date	FR Cite
SNPRM	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: This Project is a split-off of RIN 2115-AF73. The split was a result of comments received under the NPRM that was published under RIN 2115-AF73, 11/15/1999 64 FR 62018, entitled Frequency of Inspection Alternate Hull Exam Program for Certain Passenger Vessels, and Underwater Surveys for Passenger, Nautical School, and Sailing School Vessels.

Agency Contact: LCDR Donald Darcy, Project Manager G-MSR-1, Department of Transportation, U.S. Coast Guard,

2100 Second St. SW., Washington, DC 20593-0001
Phone: 202 267-1200

RIN: 2115-AF95**2386. CARGO SECURING ON VESSELS OPERATING IN U.S. WATERS (USCG-2000-7080)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 3306**CFR Citation:** 46 CFR 91; 49 CFR 176**Legal Deadline:** None

Abstract: This rulemaking would amend the cargo stowage and securing rules for U.S. vessels operating in U.S. waters. In addition, it would amend rules to require cargo securing manuals for U.S. or foreign vessels of 500 gross tons or more on international voyages. Its purpose is to reduce hazardous material cargo losses from vessels in U.S. waters. It supports the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
Final Rule	07/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Robert M. Gauvin, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-1053

RIN: 2115-AF97**2387. • CHEMICAL TESTING (USCG-2000-7759)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 U.S.C. 2103; 46 U.S.C. 3306; 46 U.S.C. 7101; 46 U.S.C. 7301; 46 U.S.C. 7701**CFR Citation:** 49 CFR Part 16**Legal Deadline:** None

Abstract: This regulatory project will conform the Coast Guard's Chemical Testing regulations with the changes to the DOT Procedures for Transportation Workplace Drug Testing Programs. This project supports the Coast Guard's strategic goal of marine safety.

DOT—USCG

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	03/00/01	
Final Rule	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: LT Jennifer Ledbetter, Project Manager, Department of

Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-0684

RIN: 2115-AG00

Department of Transportation (DOT)
U.S. Coast Guard (USCG)

Final Rule Stage

2388. PERMITS FOR THE
TRANSPORTATION OF MUNICIPAL
AND COMMERCIAL WASTES (CGD 89-
014)(USCG-2000-7442)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2602

CFR Citation: 33 CFR 151

Legal Deadline: Final, Statutory, June 15, 1989.

Abstract: In May 1989, the Coast Guard began a rulemaking to incorporate into regulation certain elements of the Shore Protection Act. The objective is to help prevent trash, medical debris, and other unsightly and potentially harmful materials from being deposited into the coastal waters of the United States as a result of sloppy waste-handling procedures. This project supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/24/89	54 FR 22546
Correction	06/05/89	54 FR 24078
Comment Period End	08/24/89	
Notice	12/13/95	60 FR 64001
Reopen Comment Period	10/01/00	
Comment Period End	11/00/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: This project was formerly known as "Implementation of the Shore Protection Act of 1988."

ANALYSIS: Regulatory Evaluation, 05/24/89, 54 FR 22546

Agency Contact: LCDR Michael Jendrosseck, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-0836

RIN: 2115-AD23

2389. +DISCHARGE-REMOVAL
EQUIPMENT FOR VESSELS
CARRYING OIL (USCG-1998-4858)

Priority: Other Significant

Legal Authority: 33 USC 1321

CFR Citation: 33 CFR 155

Legal Deadline: Final, Statutory, August 18, 1992.

Abstract: The Oil Pollution Act of 1990 directed the President by August 18, 1992, to: require periodic inspection of discharge-removal equipment to ensure that it is available in an emergency, and to require carriage of discharge-removal equipment by vessels operating in the navigable waters of the United States and carrying oil or hazardous substances. This action implemented those provisions. This project supports the Coast Guard's strategic goal of protection of natural resources. This project is considered significant because the expected costs are likely to be controversial and have substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/91	56 FR 43534
ANPRM Comment Period End	10/16/91	
NPRM	09/29/92	57 FR 44912
NPRM Comment Period Extended	10/26/92	
NPRM Comment Period End	10/29/92	
Extension Comment Period End	11/16/92	
Interim Rule	12/22/93	58 FR 67988
Interim Rule Effective	01/21/94	
Correction	01/26/94	59 FR 3749
Comment Period End	02/22/94	
Final Action	06/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David DuPont, Project Manager, G-MSR-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-0971

RIN: 2115-AD66

2390. HANDLING OF EXPLOSIVES OR
OTHER DANGEROUS CARGOES
WITHIN OR CONTIGUOUS TO
WATERFRONT FACILITIES (CGD 92-
026)(USCG-1998-4302)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1231

CFR Citation: 33 CFR 126

Legal Deadline: None

Abstract: This rulemaking is intended to revise existing regulations covering waterfront facilities handling dangerous cargoes. The present regulations are outdated and do not reflect improved safety procedures and modern transportation methods, such as the use of containers. Where appropriate, the regulations would incorporate industry standards regarding the handling of hazardous materials at waterfront facilities. This project supports the Vice Commandant's workload reduction initiative, and also supports the Coast Guard's strategic goal of maritime safety by reducing deaths and injuries in the maritime industry.

Timetable:

Action	Date	FR Cite
ANPRM	01/13/93	58 FR 4127
Comment Period End	04/13/93	
NPRM	10/29/98	63 FR 57964
NPRM Comment Period End	12/28/98	
NPRM Reopening of Comment Period	01/12/99	64 FR 1770
NPRM Comment Period End	03/01/99	
Final Rule	10/00/00	

DOT—USCG

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: An independent study has been completed and incorporated with comments from the public in the preparation of the rulemaking.

Agency Contact: LT Charles Srioudom, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 493-1042

RIN: 2115-AE22

2391. LICENSING AND MANNING FOR OFFICERS OF TOWING VESSELS (CGD 94-055)(USCG 1999-6224)

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 633; 31 USC 9701; 44 USC 3507; 46 USC 2103; 46 USC 7101; 46 USC 7106; 46 USC 7107; 46 USC 7701

CFR Citation: 46 CFR 10; 46 CFR 15**Legal Deadline:** None

Abstract: This rulemaking is necessary as part of an overall initiative by the Coast Guard to improve navigational safety for towing vessels. It will help ensure that the mariner piloting a towing vessel has the proper training and qualifications to handle the tug and tow. It will introduce a third level of license where there have been only two licenses. Each level will require greater experience and proficiency. This will prevent a new operator with minimal experience from commanding the largest flotillas; it will prevent any operator from commanding the large flotillas until he or she has gained, and shown, the necessary competence. This rulemaking also introduces a requirement for demonstration of proficiency as a prerequisite to being issued a license. This will be in addition to the current requirements for sea service physical examination, drug testing, and successful testing. This project supports the Coast Guard's Marine Safety and Environmental Protection program's goal to reduce the number of marine casualties and the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
NPRM	06/19/96	61 FR 31332
Correction	07/11/96	61 FR 36608
Correction	08/07/96	61 FR 41208
Notice of Meeting	08/26/96	61 FR 43720
NPRM Comment Period End	10/17/96	
Notice of Intent	12/18/96	61 FR 66642
SNPRM	10/27/97	62 FR 55548
Public Meeting	01/21/98	63 FR 3070
Memphis 02/11/98		
Public Meeting	01/21/98	63 FR 3070
Houston 02/13/98		
Public Meeting Boston	01/21/98	63 FR 3070
02/18/98		
Public Meeting Seattle	01/21/98	63 FR 3070
02/24/98		
SNPRM Comment Period End	02/24/98	
Interim Final Rule	11/19/99	64 FR 63213
Interim Final Rule Comment Period End	02/17/00	
Interim Final Rule Effective	05/20/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: LCDR Luke Harden, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW., Washington, DC 20593-0001
Phone: 202 267-1838

RIN: 2115-AF23

2392. IMPLEMENTATION OF THE NATIONAL INVASIVE SPECIES ACT OF 1996 (CGD 97-068)(USCG-1998-3423)

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 4701; 16 USC 4702; 16 USC 4711 to 4714; 16 USC 4721 to 4728; 16 USC 4741; 16 USC 4751

CFR Citation: 33 CFR 151

Legal Deadline: NPRM, Statutory, October 26, 1997.

Abstract: This rulemaking establishes voluntary ballast water exchange guidelines applicable to all vessels entering U.S. waters, and mandatory reporting and sampling procedures to monitor compliance. Ballast water has been identified as a major pathway for the introduction and spread of Aquatic Nuisance Species (ANS). This project supports the Coast Guard's Marine

Safety and Environmental Protection program's goal to reduce the volume of untreated ballast water discharged into United States waters, and the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	04/10/98	63 FR 17782
NPRM Comment Period End	06/09/98	
Interim Final Rule	05/17/99	64 FR 26672
Interim Final Rule Effective	07/01/99	
Final Rule	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

Agency Contact: LT M. Pat McKeown, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0500

RIN: 2115-AF55

2393. RULES OF PRACTICE, PROCEDURE, AND EVIDENCE FOR ADMINISTRATIVE PROCEEDINGS OF THE COAST GUARD (USCG 1998-3472)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 7701; 46 USC 7702; 33 USC 1321; 42 USC 9609

CFR Citation: 33 CFR 20; 46 CFR 5**Legal Deadline:** None

Abstract: The Coast Guard maintains two separate sets of procedural rules: for administrative adjudication against merchant mariners' licenses, certificates of registry, and documents, and for the adjudication of class II civil penalties. The rules for suspension and revocation, contained in part 5 of title 46 of the Code of Federal Regulations (CFR), date from 1948 and are based on criminal procedure. The rules for class II civil penalties, contained in part 20 of title 33 of the CFR, date from 1994 and are based on the Model Rules of Administrative Procedure and on other modern rules for civil procedure. Neither set implements the authority of the Oil Pollution Act of 1990 (OPA 90), which provides for the temporary suspension of a license, certificate of registry, or document for up to 45 days without a hearing, in certain

DOT—USCG

Final Rule Stage

circumstances, and a hearing within 30 days of any such suspension. This rulemaking would consolidate all procedural rules for administrative adjudication's for class II civil penalties, and allow the Coast Guard to promulgate regulations implementing the OPA 90 authority. This project supports the strategic goal of the Coast Guard to promote marine safety.

Timetable:

Action	Date	FR Cite
NPRM	04/06/98	63 FR 16731
NPRM Comment Period End	05/06/98	
NPRM Comment Period Reopened	05/20/98	
NPRM Comment Period End	06/19/98	
Interim Final Rule	05/24/99	64 FR 28054
Interim Final Rule Effective	06/23/99	
Interim Final Rule Correction	06/28/99	64 FR 34540
Interim Final Rule Comment Period End	07/23/99	
Interim Final Rule Comment Period Reopened	10/05/99	64 FR 53970
Interim Final Rule Comment Period End	04/03/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: This rulemaking revises in part the previous docket of CGD 94-101 (RIN 2115-AD94), which was terminated on December 20, 1995.

Agency Contact: George Jordan, Project Manager, G-CJ, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-2940

RIN: 2115-AF59**2394. SAFETY OF UNINSPECTED PASSENGER VESSELS UNDER THE PASSENGER VESSEL SAFETY ACT OF 1993 (USCG-1999-5040)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 2101; 46 USC 2113; 46 USC 3306; 46 USC 4105**CFR Citation:** 46 CFR 15; 46 CFR 24 to 28; 46 CFR 70; 46 CFR 169; 46 CFR

175; 33 CFR 175; 33 CFR 177; 33 CFR 179; 33 CFR 181; 33 CFR 183; 46 CFR 10; 46 CFR 2; 46 CFR 30; 46 CFR 90; 46 CFR 114; 46 CFR 188; 46 CFR 199; ...

Legal Deadline: None

Abstract: This rulemaking implements the Passenger Vessel Safety Act (PVSA) (Pub. L. 103-206) by amending the rules for Uninspected Passenger Vessels (UPVs). Specifically, the Coast Guard is considering amending existing UPV definitions to create a new class of UPV of at least 100 gross tons carrying not more than 12 passengers. The Coast Guard is considering operating, equipment, licensing and special permit application requirements appropriate for the new class of vessel. The Coast Guard is also considering adding definitions of "passenger," "passenger for hire," and "consideration" to bring its rules into conformity with the PVSA. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
ANPRM	04/01/99	64 FR 15709
ANPRM Comment Period End	06/30/99	64 FR 15709
NPRM	03/02/00	65 FR 11410
Interim Final Rule	04/28/00	65 FR 24878
NPRM Comment Period End	05/31/00	
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: LCDR Michael Jendrossek, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0836

RIN: 2115-AF69**2395. ANCHORAGE GROUND; SAFETY ZONE; SPEED LIMIT; TONGASS NARROWS AND KETCHIKAN, AK (CGD17-99-002)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 471; 33 USC 1231; 33 USC 2071**CFR Citation:** 33 CFR 162; 33 CFR 165; 33 CFR 110**Legal Deadline:** None

Abstract: This rulemaking would grant an exemption from the present 7-knot speed limit in Tongass Narrows, AK, for float plane take-off and landing and vessels 26 feet in length or less. The geographic area for the speed limit would be expanded. A safety zone used for cruise ship anchorages would be redesignated as an anchorage area to reflect actual usage of the area and transiting vessels would be required to move quickly and directly through the anchorage, without rapid course changes, to increase safety. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	03/25/99	64 FR 14414
Comment Period End	05/10/99	
Interim Final Rule	06/02/99	64 FR 29554
Comment Period End	11/30/99	
Interim Final Rule	04/07/00	65 FR 18242
Interim Final Rule Comment Period End	10/31/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: LT P. W. Clark, Project Manager, Department of Transportation, U.S. Coast Guard, 2030 Sealevel Drive, Suite 203, Ketchikan, AK 99901
Phone: 907 225-4496

RIN: 2115-AF81**2396. NOXIOUS LIQUID SUBSTANCES, OBSOLETE HAZARDOUS MATERIALS IN BULK, AND CURRENT HAZARDOUS MATERIALS IN BULK (USCG-2000-7079)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1321, 1903; 46 USC 2103, 3306, 3703**CFR Citation:** 33 CFR 151; 46 CFR 30, 150, 151, and 153**Legal Deadline:** None

Abstract: The Coast Guard revises rules on carriage of hazardous materials in bulk, treating the rules in three parts:

In part A, the Coast Guard revises its rules on Noxious Liquid Substances (NLSs) to include substances recently authorized for carriage by the Coast Guard or added to the Chemical Codes of the International Maritime

DOT—USCG

Final Rule Stage

Organization (IMO) and by making minor technical and editorial changes based on the actions taken in part C.

In part B, the Coast Guard revises its rules, tables, and lists on carriage of hazardous materials in bulk by deleting from its rules, tables, and lists commodities that are no longer liquid cargoes transportable in bulk, and by canceling the classifications of obsolete commodities not included in those rules, tables, and lists.

In part C, the Coast Guard revises its rules on carriage of hazardous materials in bulk by adding cargoes recently authorized for carriage by the Coast Guard or added to the Chemical Codes of the IMO and by making minor technical and editorial changes.

This three-part revision will update the tables of hazardous materials transportable in bulk and better inform persons shipping any such materials of the materials' compatibility and of special handling requirements. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
Direct Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Curtis Payne, Project Manager, G-MSO-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0016

RIN: 2115-AF96

2397. • ALLOWING ALTERNATIVE SOURCE TO INCANDESCENT LIGHT IN PRIVATE AIDS TO NAVIGATION (USCG-2000-7466)

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 83; 14 USC 85; 43 USC 1133

CFR Citation: 33 CFR 66, subpart 66.01

Legal Deadline: None

Abstract: The Coast Guard is seeking to let the lighting industry and owners of private aids to navigation take advantage of a recent improvement in technology—one that enables the use of lanterns based on light-emitting diodes, which would reduce the consumption of power and simplify the maintenance of the aids. The use of these lanterns should stimulate competition in the industry and allow the marking of the aids in a desirable manner. This rule supports the Coast Guard's strategic goals of maritime safety and mobility.

Timetable:

Action	Date	FR Cite
Direct Final Rule	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daniel Andrusiak, Project Manager, G-OPN-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0327

RIN: 2115-AF98

2398. • INLAND WATERWAYS NAVIGATION REGULATIONS: PORTS AND WATERWAYS SAFETY (CGD 09-00-010)

Priority: Substantive, Nonsignificant

Legal Authority: 33 U.S.C. 1231; 50 U.S.C. 191

CFR Citation: 33 CFR Part 162

Legal Deadline: None

Abstract: The Coast Guard is removing an inland waterway navigation regulation that sets time limit requirements and requires Captain of the Port approval before using the Portage River and Lily Pond Harbor in Michigan as harbors of refuge. The elimination of this rule is necessary because Portage River and Lily Pond Harbor are no longer used as harbors of safe refuge in the Ninth Coast Guard District.

Timetable:

Action	Date	FR Cite
Direct Final Rule	09/05/00	65 FR 53593
Direct Final Rule Effective	12/04/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: LT Randy Wagner, Department of Transportation, U.S. Coast Guard, Marine Safety Office Duluth, 600 South Lake Avenue, Duluth, MN 55802
Phone: 218 720-5286

RIN: 2115-AG01

**Department of Transportation (DOT)
U.S. Coast Guard (USCG)****Long-Term Actions****2399. SAFETY/SECURITY ZONE REGULATIONS**

Priority: Routine and Frequent

Legal Authority: 33 USC 1233; 33 USC 1225

CFR Citation: 33 CFR 100; 33 CFR 165

Legal Deadline: None

Abstract: These routine and frequent regulations establish limited access zones in which the Coast Guard exercises control of all vessels to ensure the safety or security of events, vessels

or individuals. They are usually of short duration, ranging from a few hours to a few days. Safety zones are established for events such as fireworks displays, high speed races, or the transit of dangerous cargoes such as explosives or liquefied petroleum gas. Security zones are established for Presidential or Vice Presidential visits, high profile events such as the Olympics, or controversial events such as transport of spent nuclear fuel. Safety and security zones are promulgated by Captains of the Port or

District Commanders in response to requests or notifications from appropriate officials. These routine and frequent rulemakings support the Coast Guard's strategic goals of marine safety, mobility, maritime security, and national defense. Total actions expected 10/01/2000 to 10/01/2001: 250.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/01	

DOT—USCG

Long-Term Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** This is an open docket for routine field regulations.

Agency Contact: Ed Larue, Project Manager, G-MWV, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0400

RIN: 2115-AA97**2400. SPECIAL ANCHORAGE AREAS/ANCHORAGE GROUNDS REGULATIONS****Priority:** Routine and Frequent**Legal Authority:** 33 USC 471; 33 USC 2030; 33 USC 2035; 33 USC 2071**CFR Citation:** 33 CFR 110**Legal Deadline:** None

Abstract: These routine and frequent regulations are established where maritime and commercial interests require them for safety of navigation. Special anchorage areas are areas in which vessels of not more than 65 feet may anchor without displaying the required lights or sound signals. These special anchorage areas are limited geographically, and depending upon the purpose, establish both long- and short-term anchorages. Anchorage grounds are limited geographically, delineate the types and size of vessel which may use the anchorage, and may place time and other restrictions on its use. Special anchorage areas and anchorage grounds are promulgated by District Commanders in response to requests from appropriate officials. These routine and frequent rulemakings support the Coast Guard's strategic goal of marine safety. Total actions expected 10/01/2000 to 10/01/2001: 10.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** This is an open docket for routine field regulations.

Agency Contact: Ed Larue, Project Manager, G-MWV, Department of

Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0400

RIN: 2115-AA98**2401. CLAIMS PROCEDURES UNDER THE OIL POLLUTION ACT OF 1990 (CGD 91-035)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 2713; 33 USC 2714**CFR Citation:** 33 CFR 136**Legal Deadline:** None

Abstract: This rulemaking implements section 1013 (Claims Procedures) and section 1014 (Designation of Source and Advertisement) of the Oil Pollution Act of 1990. The Interim Rule provides the requirements for the filing of claims for uncompensated removal costs or damages resulting from the discharge of oil, for the designation of the sources of the discharge, and for the advertisement of where claims are to be filed. The Interim Rule also included the processing of natural resource damage (NRD) claims. The NRD claims, however, were not processed until September 25, 1997, when the Department of Justice issued an opinion that the Oil Spill Liability Trust Fund (OSTLF) is available without further appropriation to pay trustee NRD claims under the general claims provisions of the Oil Pollution Act of 1990, 33 U.S.C. 2712(a)(4). Release of the Final Rule will be delayed until additional experience is gained on the adjudication of these NRD claims. This rulemaking supports the Coast Guard's strategic goal of the protection of natural resources.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/12/92	57 FR 36314
Correction	09/09/92	57 FR 41104
Comment Period End	12/10/92	
Final Rule	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** None

Agency Contact: Linda Burdette, Project Manager, National Pollution Fund Center, Department of Transportation, U.S. Coast Guard, Suite

1000, 4200 Wilson Boulevard, Arlington, VA 22203-1804
Phone: 202 493-6831

RIN: 2115-AD90**2402. +ESCORT VESSELS FOR CERTAIN TANKERS (CGD 91-202)****Priority:** Other Significant**Legal Authority:** 46 USC 3703**CFR Citation:** 33 CFR 168**Legal Deadline:** None

Abstract: This rulemaking developed standards which implement section 4116(c) of the Oil Pollution Act of 1990. It addressed the areas of Prince William and Puget Sounds and requires a two-vessel escort for single-hull tankers greater than 5,000 gross tons. On November 1, 1994, the crash stop criteria were suspended because of industry concerns about meeting the criteria. On February 1, 1995, a notice of availability of a two-part study assessing the capability of escort tugs to control disabled tankers in Prince William Sound was published. This project supports the Coast Guard's Marine Safety and Environmental Protection program's goal to reduce the amount of oil discharged into the marine environment and the Coast Guard's strategic goal of protecting natural resources. This project is considered significant because of substantial public and State government interest.

Timetable:

Action	Date	FR Cite
NPRM	07/07/92	57 FR 30058
Comment Period End	09/08/92	
Reopening of Comment Period	03/26/93	58 FR 16391
Notice of Public Hearings	04/29/93	58 FR 25959
Correction	05/19/93	58 FR 29157
Comment Period End NPRM	06/24/93	
Part 1 of Study	01/10/94	59 FR 1411
Final Rule	08/19/94	59 FR 42962
Final Rule - Partial Suspension Crash Stop Criteria	11/01/94	59 FR 54519
Final Rule Effective - Partial Suspension	11/17/94	59 FR 54519
Notice of Availability Part II of Study	02/01/95	60 FR 6345
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses

DOT—USCG

Long-Term Actions

Government Levels Affected: None

Federalism: Undetermined

Additional Information: The Coast Guard, in cooperation with the Prince William Sound Regional Citizens Advisory Council, PWS Tanker Association, and Alaska Pipeline, conducted a disabled-tanker towing study. The result of the study was incorporated into this rulemaking. Tug escort requirements in areas other than Prince William Sound and Puget Sound are addressed in the project listed under RIN 2115-AE56.

ANALYSIS: Regulatory Evaluation, 08/19/94, 59 FR 42962

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-0225

RIN: 2115-AE10

2403. STATE ACCESS TO THE OIL SPILL LIABILITY TRUST FUND (CGD 92-014)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 2712

CFR Citation: 33 CFR 133

Legal Deadline: NPRM, Statutory, February 18, 1991.

Abstract: Pursuant to the Oil Pollution Act of 1990 (OPA 90), this action specifies how the authority to obligate the pollution trust fund for oil spill response and cleanup efforts and to enter into agreements with the states will be exercised. The Coast Guard is evaluating the performance of the Interim Rule. This rulemaking supports the Coast Guard's strategic goal of the protection of natural resources. This rulemaking is considered significant because of substantial state interest.

Timetable:

Action	Date	FR Cite
Interim Rule	11/13/92	57 FR 53968
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: Rulemaking was downgraded from Other Significant to Substantive Nonsignificant in the

11/14/94 Agenda; however, due to administrative error, the document erroneously reflected Other Significant in subsequent Agenda entries.

Agency Contact: Al Thuring, Project Manager, National Pollution Funds Center, Department of Transportation, U.S. Coast Guard, Suite 1000, 4200 Wilson Boulevard, Arlington, VA 22203-1804

Phone: 202 363-6801

RIN: 2115-AE19

2404. REGATTA REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 1233

CFR Citation: 33 CFR 100

Legal Deadline: None

Abstract: These routine and frequent special local regulations ensure the safety of participants and spectators in regattas and marine parades. They specify such things as separate participant and spectator areas, separation schemes for watercraft in the area of the event, and temporary restrictions on waterways to accommodate the event. These rules are short-term, usually applying to a single event not exceeding 8 hours in duration, and usually encompassing only a small portion of a navigable waterway. These rules are promulgated by District Commanders in response to a request from a sponsoring organization. These routine and frequent rulemakings support the Coast Guard's strategic goal of marine safety, and mobility of commercial and recreational vessel traffic. Total actions expected 10/01/2000 to 10/01/2001: 75.

Timetable:

Action	Date	FR Cite
Action Will Continue Through	10/01/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: This is an open docket for routine field regulations.

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-0979

RIN: 2115-AE46

2405. DRAWBRIDGE REGULATIONS

Priority: Routine and Frequent

Legal Authority: 33 USC 499

CFR Citation: 33 CFR 117

Legal Deadline: None

Abstract: These routine and frequent regulations establish operating schedules, and notice requirements, for drawbridges across navigable waterways. Drawbridge regulations establish the permanent draw operation schedules for bridges and specify what notice mariners must give to request an opening. Short-term deviations from the permanent schedule may be issued for bridge repairs or to test the effectiveness of a proposed new opening schedule. Drawbridge regulations are promulgated by District Commanders usually at the request of the bridge owner or operator, or of local officials or local Coast Guard bridge administration officials. These routine and frequent rulemakings support the Coast Guard's strategic goals of marine safety, and mobility of commercial and recreational vessel traffic. Total actions expected 10/01/2000 to 10/01/2001: 100.

Timetable:

Action	Date	FR Cite
Action Will Continue Through	10/01/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

Additional Information: This is an open docket for routine field regulations.

Agency Contact: Alesia Steinberger, Project Manager, G-OPT-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-6215

RIN: 2115-AE47

2406. +ESCORT VESSELS IN CERTAIN U.S. WATERS (CGD 91-202A)

Priority: Other Significant

Legal Authority: 46 USC 3703

CFR Citation: 33 CFR 168

Legal Deadline: None

DOT—USCG

Long-Term Actions

Abstract: This regulation would designate those U.S. waters, other than Prince William Sound and Puget Sound, where tankers and other vessels must be escorted by a towing vessel or other appropriate vessel. This project supports the Coast Guard's Marine Safety and Environmental Protection program's goal to reduce the amount of oil discharged into the marine environment and the Coast Guard's strategic goal of protecting natural resources. This action is considered significant because of substantial public and State government interest.

Timetable:

Action	Date	FR Cite
ANPRM	04/27/93	58 FR 25766
Comment Period End	06/28/93	
Request for Comments	12/21/94	59 FR 65741
Comment Period End	02/13/95	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined

Additional Information: This rulemaking is a companion to 2115-AE10, which concerns Prince William Sound and Puget Sound.

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0225

RIN: 2115-AE56**2407. REGULATED NAVIGATION AREAS****Priority:** Routine and Frequent**Legal Authority:** 33 USC 1233; 50 USC 191**CFR Citation:** 33 CFR 165**Legal Deadline:** None

Abstract: These routine and frequent regulations establish operating requirements for vessels within specified geographic areas to ensure safety on the navigable waters where some special or unusual circumstance exists. Regulated navigation areas are limited areas in which the Coast Guard specifies operational or vessel restrictions such as vessel entry, movement or departure; and vessel

size, speed, horsepower, or draft limitations. Regulated navigation areas are promulgated by District Commanders, usually at the request of Coast Guard marine safety or local maritime safety officials. These routine and frequent rulemakings support the Coast Guard's strategic goals of waterways management, marine safety, and maritime mobility. Total actions expected 10/01/2000 to 10/01/2001: 10.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: This is an open docket for routine field regulations.

Agency Contact: Ed Larue, Project Manager, G-MWV, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0400

RIN: 2115-AE84**2408. REGATTAS AND MARINE PARADES (CGD 95-054)****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1233**CFR Citation:** 33 CFR 100**Legal Deadline:** None

Abstract: In keeping with the National Performance Review and the President's Regulatory Reinvention Initiative, the Coast Guard reviewed its regatta and marine parade permitting regulations and determined that certain revisions are needed to eliminate overly burdensome, unnecessary, and obsolete requirements. The rule establishes various categories of events: those which do not require any notice or a permit because they clearly pose no extra or unusual hazard to safety of life; those which require written notice because they may pose such a hazard; and those which require a permit because they clearly pose such a

hazard. This rule eliminates the need for permits, and associated paperwork burden on the public, unless they are necessary to advance the statutory purpose of promoting safety of life during marine events. This rulemaking supports the Coast Guard's strategic goal of marine safety and maritime mobility.

Timetable:

Action	Date	FR Cite
ANPRM	12/26/95	60 FR 67345
Comment Period End	02/09/96	
NPRM	04/17/96	61 FR 16732
NPRM Comment Period End	05/17/96	
Interim Rule	06/28/96	61 FR 33027
Comment Period End	08/27/96	
Delay Effective Date to	11/26/96	61 FR 60027 01/01/98
Delay Effective Date to	12/29/97	62 FR 67570 01/01/99
Delay Effective Date to	12/30/98	63 FR 71753 01/02/00
Delay Effective Date Indefinitely	12/16/99	64 FR 70184
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: This rulemaking will benefit small entities and state and local governments by reducing the number of submitted permits. The rulemaking should reduce the information which is required to be submitted from 3,100 permits to 1,500 notifications, 20 of which may require additional information. The effective date has been delayed until the Coast Guard completes the Environmental Assessment and Finding of No Significant Impact.

ANALYSIS: Regulatory Evaluation, 06/26/96, 61 FR 33031

Agency Contact: Carlton Perry, Project Manager, G-OPB-1, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0979

RIN: 2115-AF17

DOT—USCG

Long-Term Actions

2409. +IMPLEMENTATION OF THE 1995 AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978 (STCW) (CGD 95-062)**Priority:** Other Significant**Legal Authority:** 31 USC 9701; 44 USC 3507; 46 USC 2103; 46 USC 7101; 46 USC 7107**CFR Citation:** 46 CFR 10; 46 CFR 12; 46 CFR 15**Legal Deadline:** None

Abstract: The International Maritime Organization (IMO) comprehensively amended the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), in 1995. The amendments came into force on February 1, 1997. This project implements them by revising current regulations to ensure that the United States complies with their requirements on: the training of merchant mariners, the documenting of their qualifications, and watch-standing and other arrangements aboard seagoing merchant ships of the United States. This project supports the Coast Guard's strategic goal of marine safety, and the Coast Guard's Marine Safety and Environmental Protection program's goal of reducing deaths and injuries of crewmembers on domestic merchant vessels and eliminating substandard vessels from the navigable waters of the United States. This rulemaking is considered significant due to potential impact on industry and potential effect on international interests.

Timetable:

Action	Date	FR Cite
Notice of Meeting	08/02/95	60 FR 39306
Comment Period End	09/29/95	
Notice of Inquiry	11/13/95	60 FR 56970
Comment Period End	01/12/96	
NPRM	03/26/96	61 FR 13284
Notice of Public Meetings	04/08/96	61 FR 15438
Comment Period End	07/24/96	
Notice of Intent	02/04/97	62 FR 5197
Interim Final Rule	06/26/97	62 FR 34505
Interim Final Rule Effective	07/28/97	
Final Action	02/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Christopher Young, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-0216

RIN: 2115-AF26

2410. PROPELLER INJURY PREVENTION ABOARD RENTAL BOATS (CGD 95-041)**Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 4302**CFR Citation:** 33 CFR 173; 33 CFR 174; 33 CFR 175; 33 CFR 177; 33 CFR 179; 33 CFR 181; 33 CFR 183; 33 CFR 187**Legal Deadline:** None

Abstract: The Coast Guard published a notice of inquiry on this subject on May 11, 1995. It received 183 comments, most of which were very general. It is clear that two boating accidents involving

fatalities caused by propeller strikes on rented houseboats on lake Shasta and lake Havasu, and several instances of crippling injuries in the last several years have generated a great deal of concern. This rulemaking would examine the number and nature of injuries sustained from vessel propellers and help the Coast Guard to determine the need for Federal or State regulation of these vessels, the livery companies leasing these vessels, or the operators of these vessels. Any regulation issued would be implemented to reduce future injuries and fatalities involving rented boats. Future action is partially dependent upon results of a Technology Comparison and testing of propellers, propeller guards, etc., conducted under a Coast Guard grant. This rulemaking supports the Coast Guard's strategic goal of maritime safety.

Timetable:

Action	Date	FR Cite
Request for Comments	05/11/95	60 FR 25191
Comment Period End	07/10/95	
Reopening of Comment Period	08/09/95	60 FR 40545
Comment Period End	11/07/95	
ANPRM	03/26/96	61 FR 13123
ANPRM Comment Period End	09/01/96	
Request for Comments	04/28/97	62 FR 22991
Comment Period End	07/28/97	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Randolph Doubt, Project Manager, G-OPB-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-6810

RIN: 2115-AF28

2411. LIMITED SERVICE DOMESTIC VOYAGE LOAD LINES FOR RIVER BARGES ON LAKE MICHIGAN (CGD 95-015) (USCG-1998-4623)**Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 51**CFR Citation:** 46 CFR 45**Legal Deadline:** None

Abstract: This regulatory project will allow certain unmanned dry cargo river barges operating on Lake Michigan to be exempted from the normal Great Lakes load line requirements provided instead that they obtain a limited domestic service load line for two specific routes (Chicago to Milwaukee, and Chicago to Muskegon). This will allow certain non-hazardous cargoes originating at inland river ports to be transported as far as Milwaukee and Muskegon by river barge, thereby benefiting from the relatively low cost per ton-mile of river barge transportation. Compliance is not mandatory other than for those river barge operators who voluntarily seek this special load line for their barges. This rulemaking supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	11/02/98	63 FR 58679
Comment Period End	03/04/99	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None

Agency Contact: Thomas Jordan, Project Manager, G-MSE-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-2988

RIN: 2115-AF38

DOT—USCG

Long-Term Actions

2412. +EMERGENCY RESPONSE PLANS FOR PASSENGER VESSELS (USCG-1998-3473)**Priority:** Other Significant**Legal Authority:** 14 USC 633; 33 USC 1221; 33 USC 1223; 33 USC 1224; 33 USC 1231; 33 USC 1232; 46 USC 3306**CFR Citation:** 46 CFR 1; 46 CFR 7 to 10; 46 CFR 199**Legal Deadline:** None

Abstract: This rulemaking would require vessel owners or operators of small passenger vessels and passenger vessels in domestic service to develop, maintain, and exercise emergency response plans. The first step in this process is to publish an advance notice of proposed rulemaking to seek feedback from vessel owners and operators. Emergency response plans would establish a process that initiates and maintains actions to prevent injury and loss of life during collisions, allisions, groundings, fires, and other emergencies. The plans would address issues such as passenger egress, crew training, and available emergency resources both on a vessel and in a vessel's operating area. This rulemaking supports the Coast Guard's strategic goal of marine safety and protection of natural resources. This rulemaking is significant due to important Department of Transportation policy and public interest.

Timetable:

Action	Date	FR Cite
ANPRM	02/26/98	63 FR 9916
ANPRM Comment	06/28/98	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Undetermined

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0225

RIN: 2115-AF61**2413. COMMERCIAL DIVING OPERATIONS (USCG-1998-3786)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1509; 43 USC 1333; 46 USC 3306; 46 USC 3703; 46 USC 6101**CFR Citation:** 46 CFR 197; 49 CFR 1.46**Legal Deadline:** None

Abstract: This project involves reviewing and updating the commercial diving regulations, which are over 20 years old. A review of the commercial diving regulations is needed to determine what parts should be updated or changed based on the current standards of safety, technology, and industry practices and to evaluate and minimize any significant economic impact of the rules upon small entities. The project supports the Coast Guard Marine Safety and Environmental Protection Program's goal to reduce deaths and injuries on U.S. commercial vessels and the Coast Guard's strategic goal of safety.

Timetable:

Action	Date	FR Cite
ANPRM	06/26/98	63 FR 34840
ANPRM Comment	09/23/98	63 FR 50848
Period Extended		
ANPRM Comment	11/09/98	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: CDR Mark Prescott, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0225

RIN: 2115-AF64**2414. +IMPROVEMENTS TO MARITIME SAFETY PUGET SOUND-AREA WATERS (USCG-1998-4501)****Priority:** Other Significant**Legal Authority:** 33 USC 1223 to 1224**CFR Citation:** 33 CFR 1**Legal Deadline:** None

Abstract: This rulemaking would promulgate measures to improve maritime safety in Puget Sound-Area waters including Puget Sound, the Strait of Juan de Fuca, passages around

and through the San Juan Islands, and the Olympic Coast National Marine Sanctuary. Based on a determination by the Secretary of Transportation regarding the status of maritime safety in the Puget Sound-area, the Coast Guard has initiated a comprehensive cost-benefit analysis to study the feasibility of implementing new safety measures, including extended tug escort requirements and a dedicated response vessel. Public input will help focus this cost-benefit analysis and develop any future proposed rules, if deemed necessary. This rulemaking supports the Coast Guard Marine Safety and Environmental Protection Program's goal to reduce the amount of oil discharged into the marine environment and the Coast Guard's strategic goal of protection of natural resources. This is a significant action due to substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	11/24/98	63 FR 64937
ANPRM Comment	05/24/99	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: CDR T. M. Close, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-0177

RIN: 2115-AF68**2415. BARGES CARRYING BULK LIQUID HAZARDOUS MATERIAL (USCG-1999-5117) (SECTION 610 REVIEW)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 3703**CFR Citation:** 46 CFR 151**Legal Deadline:** None

Abstract: This rulemaking project will update the regulations for barges carrying bulk hazardous material to account for modernization of the industry. The current regulations for barges carrying bulk liquid hazardous materials were originally published in 1970. Over the past three decades, technology has advanced and industry practices have changed. This project

DOT—USCG

Long-Term Actions

will first ask for public comment to identify the rules which need to be updated. Once those rules are identified, the project will propose appropriate revisions to the Code of Federal Regulations. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
ANPRM	09/09/99	64 FR 48976
ANPRM Comment Period End	03/07/00	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Thomas Felleisen, Project Manager, G-MSO, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0085

RIN: 2115-AF77

2416. MANDATORY SHIP REPORTING SYSTEM OFF THE NORTHEAST AND THE SOUTHEAST COASTS OF THE UNITED STATES (USCG-1999-5525)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1230(d)

CFR Citation: 33 CFR 169

Legal Deadline: None

Abstract: This regulatory project establishes two mandatory ship reporting systems in areas off the U.S. Atlantic Coast to protect the endangered Northern Right Whale. These areas are critically important calving and feeding grounds for that species. Although right whales are also found outside of these areas, the two areas are targeted because they have both large numbers of whales and a high volume of ship traffic. Ship collisions are the largest known source of human related mortality of right whales. Communication between shore-based authorities and ships will minimize the risk of collision damage to ships and the whales as well as provide beneficial information to ships. The reporting system requires ships over 300 gross tons to notify the Coast Guard of their intention to enter these areas. In return, the mariners are provided with automated information about the last known locations of any right whales. This project supports the Coast Guard's strategic goal of protecting the natural resources.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/01/99	64 FR 29229

Action	Date	FR Cite
Interim Final Rule Comment Period End	07/01/99	
Interim Final Rule Effective	07/01/99	
Final Rule	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The International Maritime Organization established a June 30, 1999 implementation for a mandatory reporting system. Less than 300 northern right whales are now known to exist. Designing an effective and simple reporting program in conjunction with other Federal agencies eliminated the availability of time to propose the regulations for comment prior to promulgation. However, the Coast Guard may revise the regulations in response to comments.

Agency Contact: Edward J. LaRue, Jr, Project Manager, G-MWV, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0416

RIN: 2115-AF82

Department of Transportation (DOT) U.S. Coast Guard (USCG)

Completed Actions

2417. AMENDMENTS TO HULL IDENTIFICATION NUMBERS FOR RECREATIONAL BOATS (CGD 92-065)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 4302; 46 USC 12501

CFR Citation: 33 CFR 181

Legal Deadline: None

Abstract: The Coast Guard is terminating its rulemaking to amend the Hull Identification Number (HIN) regulations applicable to manufacturers of recreational boats. There is no consensus on the format for an expanded HIN and the Coast Guard lacks sufficient data to demonstrate that the benefits clearly outweigh the cost and burdens, particularly for small entities and the builders of high-volume, low-cost boats. The Coast Guard is conducting a cost/benefit

analysis of the feasibility of using an expanded HIN format for possible future rulemaking. This rulemaking supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	05/06/94	59 FR 23651
NPRM Comment Period End	09/06/94	
Notice of Workshop	11/09/94	59 FR 55823
NPRM Comment Period Reopened	11/09/94	59 FR 55823
NPRM Comment Period End	01/09/95	
SNPRM	02/21/97	62 FR 7971
Second NPRM Comment Period End	05/22/97	
Request for Comments	11/16/98	63 FR 63638

Action	Date	FR Cite
Comment Period End	02/16/99	
Withdrawn	06/29/00	65 FR 40069

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Agency Contact: Alston Colihan, Project Manager, G-OPB-3, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001
Phone: 202 267-0984

RIN: 2115-AE37

DOT—USCG

Completed Actions

2418. TRAFFIC SEPARATION SCHEME IN THE APPROACHES TO DELAWARE BAY (CGD 97-004)**Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1223**CFR Citation:** 33 CFR 167**Legal Deadline:** None

Abstract: This rule amends the Traffic Separation Scheme in approaches to Delaware Bay by shifting eastern approach lanes southward; establishing a two-way route for use by tug and tow traffic; and reconfiguring the precautionary area to exclude shoal areas too shallow for deep-draft vessels. This rulemaking supports the Coast Guard's Marine Safety and Environmental Protection goal of reducing the number of collisions, allisions, and groundings, and the Coast Guard's strategic goal of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	05/09/97	62 FR 25576
NPRM Comment Period End	08/07/97	
Final Rule	03/10/00	65 FR 12944

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: George Detweiler, Project Manager G-MWV-3, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001

Phone: 202 267-0574

RIN: 2115-AF42**2419. +EMERGENCY CONTROL MEASURES FOR TANK BARGES (USCG-1998-4443)****Priority:** Other Significant**Legal Authority:** 46 USC 3719**CFR Citation:** 33 CFR 155; 46 CFR 32**Legal Deadline:** NPRM, Statutory, October 1, 1997.

Abstract: This rulemaking will require anchor systems and retrieval systems or alternative measures for all single-hull tank barges operating on the waters listed in the rule (primarily offshore). The purpose is to reduce oil spills from single-hull, non-self-propelled tank barges. Drifting oil barges have run aground and spilled their cargoes,

causing considerable damage to marine life and the environment. This rulemaking supports the Coast Guard's strategic goals of marine safety and protection of the marine environment. It is significant because of congressional and public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/07/97	
NPRM Comment Period End	01/05/98	
Interim Rule	12/30/98	63 FR 71754
Interim Rule Effective	03/30/99	
Final Rule	05/19/00	65 FR 31806
Final Rule Effective	06/19/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: This rulemaking was one component of the originally proposed rules for Safety of Towing Vessels (CGD 1997-064) (RIN 2115-AF53) concerning tank barges. To expedite the publication of rules mandated by statute, two of the components for the original Towing Vessel Safety rulemaking separated into rulemakings. The other former component of the Towing Vessel Safety rulemaking is Fire- Protection Measures for Towing Vessels (USCG-1998-4445) (RIN 2115-AF66). The original rulemaking is Towing Vessel Safety (Fire- Suppression Systems and Voyage Planning for Towing Vessels)(CGD 1997-064)(USCG 2000-6931).

Agency Contact: Robert Spears, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593-0001

Phone: 202 267-1099

RIN: 2115-AF65**2420. FIRE-PROTECTION MEASURES FOR TOWING VESSELS (USCG-1998-4445)****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 USC 4102**CFR Citation:** 46 CFR 25; 46 CFR 27**Legal Deadline:** NPRM, Statutory, October 1, 1997.

Abstract: This rulemaking will require fire-protection measures such as fire detectors, alarms, and periodic training of crews on towing vessels. Its purpose is to reduce oil spills from single-hull, non-self-propelled tank barges that may

become adrift because of a loss of propulsion through fire on their attending towing vessels. Drifting oil barges have run aground and spilled their cargoes, causing considerable damage to marine life and the environment. This rulemaking supports the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	10/06/97	62 FR 52057
NPRM Comment Period End	01/05/98	
Interim Rule	10/19/99	64 FR 56257
Interim Final Rule Effective	01/19/00	
Final Rule	08/28/00	65 FR 52043

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: This rulemaking was one component of the proposed rules for Safety of Towing Vessels (CGD 97-064) (RIN 2115-AF53) concerning tank barges. To expedite the publication of rule mandated by statute, we separated it into three rulemaking projects. Its other former components are Emergency Control Measures for Tank Barges (USCG-1998-4443)(RIN 2115-AF65) and Fire-Suppression Systems and Voyage Planning for Towing Vessels (CGD-97-064 and USCG 2000-6931)(RIN-2115-AF53).

Agency Contact: Randall Eberly, Project Manager, G-MSE-4, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-1861

RIN: 2115-AF66**2421. +RESPONSE PLANS FOR MARINE TRANSPORTATION-RELATED FACILITIES HANDLING NON-PETROLEUM OILS (1999-USCG-5149)****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1321**CFR Citation:** 33 CFR 154.12

DOT—USCG

Completed Actions

Legal Deadline: NPRM, Statutory, March 1999.

Abstract: This rulemaking project would revise regulations for response plans for animal fats and vegetable oils facilities to address a congressional mandate. Revisions will downgrade facilities from a significant and substantial harm classification to a substantial harm classification and will clarify planning and equipment requirements. By reducing the amount of oil discharged into the marine environment and its effects, this regulatory project supports the Coast Guard's strategic goal of protection of natural resources. This regulatory project is a significant rulemaking due to public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/08/99	64 FR 17222
NPRM Comment Period End	07/07/99	
Final Rule	06/30/00	65 FR 40819
Final Rule Effective	12/27/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: LT Claudia Gelzer, G-MOR-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-1983

RIN: 2115-AF79

2422. TRAFFIC SEPARATION SCHEMES: OFF SAN FRANCISCO, IN THE SANTA BARBARA CHANNEL, IN THE APPROACHES TO LOS ANGELES-LONG BEACH, CALIFORNIA (USCG-1999-5700)

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 167

Legal Deadline: None

Abstract: This rulemaking will propose amendments to the existing San Francisco and Santa Barbara Channel Traffic Separation Schemes (TSSs). These amendments are adopted by the International Maritime Organization and have been validated by several recent vessel routing studies. With the amendments in place, commercial vessels would be routed farther off shore when entering or departing the TSSs, thereby providing an extra

margin of safety and environmental protection for the Monterey Bay National Marine Sanctuary and adjacent waters. This rulemaking will incorporate the modified TSSs, as well as the existing Los Angeles/Long Beach TSS, into the Code of Federal Regulations. This project supports the Coast Guard's strategic goals of marine safety and protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	06/17/99	64 FR 32451
NPRM Comment Period End	08/16/99	
Final Rule	07/31/00	65 FR 46603
Final Rule Effective	08/30/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Detweiler, Project Manager G-MWV-3, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001
Phone: 202 267-0574

RIN: 2115-AF84

2423. OIL POLLUTION ACT OF 1990 PHASE-OUT REQUIREMENTS FOR SINGLE HULL TANK VESSELS (USCG-1999-6164)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3703; 46 USC 3703a

CFR Citation: 33 CFR 157

Legal Deadline: None

Abstract: This rulemaking would clarify the phase-out regulations for single hull tank vessels in the most current regulation consistent with the Coast Guard's April 21, 1999 Federal Register notice of policy. In that notice, the Coast Guard set out its policy decision that a change in the hull configuration of an existing single hull tank vessel to a single hull tank vessel with double sides or a double bottom, after August 18, 1990, will not result in a change to the tank vessel's originally scheduled phase-out date as required by Oil Pollution Act of 1990. This rulemaking supports the Coast Guard's strategic goal of protection of natural resources.

Timetable:

Action	Date	FR Cite
NPRM	01/18/00	65 FR 2812
NPRM Comment Period End	04/17/00	
Final Rule	06/23/00	65 FR 39260
Final Rule Effective	07/24/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Associated docket (USCG-1999-4620).

Agency Contact: Robert M. Gauvin, Project Manager, G-MSO-2, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001
Phone: 202 267-1053

RIN: 2115-AF86

2424. FEDERAL PILOTAGE FOR FOREIGN-TRADE VESSELS IN MARYLAND (USCG 1999-6097)

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 3703; 46 USC 7703; 46 USC 8503

CFR Citation: 46 CFR 15; 49 CFR 146

Legal Deadline: None

Abstract: The law establishes that except for certain drug-related offenses a mariner's license is not subject to administrative action unless the mariner is acting or operating under the license. This project would help ensure that a person providing pilotage in Baltimore Harbor is operating under the authority of either a State or Federal pilot's valid license and also would ensure adequate accountability. It would add a new section to the rule to require that a foreign-trade vessel be under the direction and control of a federally licensed pilot when operating in Baltimore Harbor. This project supports the Coast Guard's strategic goal of marine safety.

Timetable:

Action	Date	FR Cite
NPRM	10/21/99	64 FR 56720
NPRM Comment Period End	12/20/99	
Public Meeting Notice	02/09/00	65 FR 6350
NPRM Comment Period Extended	02/09/00	65 FR 6350
NPRM Comment Period End	04/01/00	
Notice of Termination	07/26/00	65 FR 45955

DOT—USCG

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** The State of Maryland pass legislation which negated the need for a Federal rule.**Agency Contact:** Tim Farley, Project Manager, G-MVI-4, Department of Transportation, U.S. Coast Guard, 2100 Second Street SW, Washington, DC 20593-0001

Phone: 202 267-2307

RIN: 2115-AF90**2425. • TRAFFIC SEPARATION SCHEME; IN THE APPROACHES TO LOS ANGELES-LONG BEACH, CALIFORNIA (USCG-2000-7695)****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 U.S.C. 1223**CFR Citation:** 33 CFR 167**Legal Deadline:** None**Abstract:** This project will codify the traffic separation schemes (TSS's) in the approaches to the port of Los Angeles-Long Beach. This project was originally part of the project entitled "Traffic Separation Schemes: Off San Francisco, in the Santa Barbara Channel, in the Approaches to Los Angeles-Long Beach, California" (USCG 1999-5700). The projects were split due to recommendations in the Coast Guard's Port Access route Study (PARS) of the Ports of Los Angeles and Long Beach and of the TSS's and because of major improvements projects to the ports. The existing TSS's will be suspended effective 1 September 2000 due to considerations involving the International Maritime Organization (IMO) and replaced by the final rule under this project.**Timetable:**

Action	Date	FR Cite
NPRM	07/28/00	65 FR 46378
NPRM Comment Period End	08/27/00	
Final Rule	09/06/00	65 FR 53911

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Sectors Affected:** None**Agency Contact:** George Detweiler, Project Manager G-MWV-3, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001

Phone: 202 267-0574

RIN: 2115-AF99

Department of Transportation (DOT)

Federal Aviation Administration (FAA)

Prerule Stage

2426. +RETROFIT OF IMPROVED SEATS IN AIR CARRIER TRANSPORT CATEGORY AIRPLANES**Priority:** Other Significant**Legal Authority:** 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712**CFR Citation:** 14 CFR 121; 14 CFR 135**Legal Deadline:** NPRM, Statutory, April 28, 1988.**Abstract:** This action would require that all seats of transport category airplanes used in air carrier operations and transport category airplanes used in scheduled intrastate service comply with improved crashworthiness

standards. The Airport and Airways Safety and Capacity Expansion Act of 1987 directs the Secretary of Transportation to initiate a rulemaking proceeding to consider requiring all seats on board all air carrier aircraft to meet improved crashworthiness standards based upon the best available testing standards. The intended effect of this action is to increase passenger protection and survivability in survivable impact accidents. This rulemaking is considered significant because of its safety implications and statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/17/88	53 FR 17650
NPRM Comment Period End	10/14/88	
Reopening of Comment Period	10/30/98	63 FR 58331

Action	Date	FR Cite
NPRM Comment Period End	01/08/99	
SNPRM	04/00/01	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Docket 25611. Project Number: AIR-88-136R.

ANALYSIS: Regulatory Evaluation, 05/17/88, 53 FR 17650

Agency Contact: Hal Jensen, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591

Phone: 202 267-9574

RIN: 2120-AC84

Department of Transportation (DOT)

Federal Aviation Administration (FAA)

Proposed Rule Stage

2427. +IMPROVED WATER SURVIVAL EQUIPMENT**Priority:** Other Significant**Legal Authority:** 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712;

49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702

CFR Citation: 14 CFR 121; 14 CFR 135**Legal Deadline:** None**Abstract:** This action would add new requirements for water survival equipment carried aboard airplanes and

DOT—FAA

Proposed Rule Stage

rotorcraft. The requirements would apply, after specified dates, to U.S.-certificate holders that conduct common-carriage operations with airplanes and rotorcraft. This action is in response to the Airport and Airway Safety and Capacity Enhancement Act of 1987 (PL 100-223) and relates to safety recommendations by the National Transportation Safety Board. The requirements are intended to increase the likelihood of aircraft passengers surviving a crash landing in water and, thus, this rulemaking is significant because of the safety implications.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	53 FR 24890
NPRM Comment Period End	11/28/88	
SNPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AIR-85-265R.

ANALYSIS: Regulatory Evaluation, 06/30/88, 53 FR 24890

Agency Contact: Hal Jensen, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-9574

RIN: 2120-AC72

2428. +CORROSION CONTROL PROGRAM

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44902

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135

Legal Deadline: None

Abstract: This project would ensure that airplanes used or not used in common carriage in air transportation have a comprehensive corrosion prevention program within their maintenance or inspection programs. In

April 1988, a commercial transport airplane experienced an in-flight decompression and separation of approximately 18 feet of the fuselage skin and structure at the top of the airplane. The airplane had been in service for 19 years and had flown almost 90,000 flights. The National Transportation Safety Board concluded that the failure of the airline to detect skin disbonding resulted in corrosion and metal fatigue leading to separation of the airplane's skin structure. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-93-382R

Agency Contact: Frederick Sobeck, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-7355

RIN: 2120-AE92

2429. +FLIGHT OPERATIONAL QUALITY ASSURANCE PROGRAM

Regulatory Plan: This entry is Seq. No. 96 in Part II of this issue of the **Federal Register**.

RIN: 2120-AF04

2430. +NATIONAL AIR TOUR SAFETY STANDARDS

Priority: Other Significant

Legal Authority: 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716; 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44702; 49 USC 44705

CFR Citation: 14 CFR 91; 14 CFR 135

Legal Deadline: None

Abstract: FAA will propose new regulations for air tour and sightseeing operations that are currently allowed to operate under less stringent regulations than those applied to other types of

commercial operations. Over the past decade the number of these operations and the number of accidents and incidents associated with these operations have increased. Hot air balloons and gliders would not be included in this amendment. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-91-012R. RIN 2120-AF61 which was proposed as a new item for this agenda was a duplicate of this rulemaking and has been terminated. This rulemaking was previously titled "Sightseeing Operations."

ANALYSIS: Regulatory Evaluation, 10/00/2000

Agency Contact: Katherine M. Hakala, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-3760

RIN: 2120-AF07

2431. +OVERFLIGHTS OF UNITS OF THE NATIONAL PARK SYSTEM

Regulatory Plan: This entry is Seq. No. 97 in Part II of this issue of the **Federal Register**.

RIN: 2120-AF46

2432. +FLIGHT CREWMEMBER DUTY PERIOD LIMITATIONS, FLIGHT TIME LIMITATIONS, AND REST REQUIREMENTS

Regulatory Plan: This entry is Seq. No. 98 in Part II of this issue of the **Federal Register**.

RIN: 2120-AF63

2433. +FALSE AND MISLEADING STATEMENTS REGARDING AIRCRAFT PARTS

Priority: Other Significant

Legal Authority: 49 USC 44913

CFR Citation: Not Yet Determined

DOT—FAA

Proposed Rule Stage

Legal Deadline: None

Abstract: This action proposes additional rules that would prohibit certain false or misleading statements regarding civil aircraft, airframes, aircraft engines, propellers, appliances, component parts, and materials, including standard parts, that are used, or may be used, on civil aircraft. The proposals would also permit increased inspection by the FAA of records regarding the quality of aircraft parts. The additional rules are needed to help prevent persons from representing parts as suitable for use on civil aircraft when in fact they may not be. The proposals are intended to provide assurance that aircraft owners and operators, and persons who maintain aircraft, have truthful information on which to determine whether a part may be used in a given civil aircraft application. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: AVR-94-549R.

ANALYSIS: Regulatory Evaluation, 12/00/2000

Agency Contact: Mardi Ruth Thompson, Regulations Division, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-3073

RIN: 2120—AG08**2434. LICENSING AND SAFETY REQUIREMENTS FOR LAUNCH****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 70101 to 70119**CFR Citation:** 14 CFR 415; 14 CFR 417**Legal Deadline:** None

Abstract: This action would establish requirements for licensing the conduct of a launch from a non-Federal launch site. The law requires anyone who proposes to conduct a launch within the United States, or a U.S. citizen proposing to conduct a launch site

outside the United States, to obtain a license from DOT. This action would govern obtaining a license to conduct such a launch. Currently, commercial rocket launches take place from Federal Government installations operated by the Department of Defense and NASA. Licensing requirements for those launches are being developed in a related licensing rulemaking (RIN 2120-AF99). In this action, DOT proposes to implement rules regarding obtaining a license to conduct a launch from a commercial launch site, where DOT, rather than NASA or the military has primary responsibility.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Additional Information:** Project Number: AST-97-088R.

ANALYSIS: Regulatory Evaluation, 10/00/2000

Agency Contact: Michael Dook, Licensing and Safety Division, Office of Commercial Space, Department of Transportation, Federal Aviation Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-9305

RIN: 2120—AG37**2435. +CHILD RESTRAINT SYSTEMS****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715 to 44718; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46502

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135**Legal Deadline:** None

Abstract: This action sought public comment on issues relating to the use of child restraint systems in aircraft during all phases of flight (i.e., taxi, takeoff, landing, or any other time the seat belt sign is illuminated). Specifically, the agency sought information about existing child restraint systems, the development of new and improved child restraint

systems, the ease with which existing or new child restraint systems can be used, and the effectiveness of changing the current child restraint system regulations. The advance notice gathered information in response to a recommendation made by the White House Commission on Aviation Safety and Security (Gore Commission). Approximately 130 comments were received on the ANPRM. This information is needed so that the FAA can determine the best way to ensure the safety of children while on board aircraft. After such a determination is made, the FAA may issue a Notice of Proposed Rulemaking with specific regulatory proposals that respond to the Commission's recommendations regarding the use of child restraint systems. This action is considered significant because of safety implications.

Timetable:

Action	Date	FR Cite
ANPRM	02/18/98	63 FR 8324
ANPRM Comment Period End	06/18/98	
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** Project Number: AFS-97-261R

Agency Contact: Cindy Nordlie, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-7627

RIN: 2120—AG43**2436. +AIR TOUR OPERATIONS IN THE STATE OF HAWAII****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44701; 49 USC 44702; 49 USC 44705; 49 USC 44709; 49 USC 44711 to 44713; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306

CFR Citation: 14 CFR 91; 14 CFR 135**Legal Deadline:** None

Abstract: This rulemaking disposes of comments received in response to the final rule published on September 26,

DOT—FAA

Proposed Rule Stage

1994 (59 FR 49138), for certain procedural, operational, and equipment requirements for air tour operations in the State of Hawaii, codified as Special Federal Aviation Regulation (SFAR 71). It also extends SFAR 71 until the FAA publishes a final rule regulating all air tour operations. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	10/26/97	
Interim Final Rule	10/30/97	62 FR 58854
NPRM and Disposition of Comments	10/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-94-453R

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-8166

RIN: 2120-AG44

2437. REVISION OF AIR CARRIER CREWMEMBER AND TRAINING REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701; 49 USC 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 60; 14 CFR 121

Legal Deadline: None

Abstract: This action proposes to revise title 14 of the Code of Federal Regulations part 121 subparts N, O, P, and create part 60. The proposed revision and creation will address Advanced Qualification Programs and additional training programs. The rulemaking is needed to enhance crew resource management training, to permit rapid changes to training and checking requirements for emerging technologies, to improve safety, and to respond to numerous recommendations from various sources.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-97-335R.

ANALYSIS: Regulatory Evaluation, 02/00/2001

Agency Contact: Jan Demuth, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-8922

RIN: 2120-AG57

2438. USE OF ELECTRONIC SIGNATURES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40101 to 40103; 49 USC 40105; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44105 to 44106; 49 USC 44111; 49 USC 44701 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903; 49 USC 44904; 49 USC 44906

CFR Citation: 14 CFR 21; 14 CFR 43; 14 CFR 91; 14 CFR 119

Legal Deadline: None

Abstract: This action proposes to amend the regulations to permit the use of electronic signatures to satisfy maintenance, operational, and type certification record preparation and retention requirements. Although this action will encourage the use of electronic recordkeeping systems, it will not discourage the use of paper documents and records to satisfy regulatory requirements. The proposed rule will provide cost savings and regulatory relief to owners, manufacturers, operators and repair stations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AFS-98-226A.

ANALYSIS: Regulatory Evaluation, 10/00/2000.

Agency Contact: Wayne Nutsch, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 493-4291

RIN: 2120-AG63

2439. TRAINING IN THE RECOGNITION OF HAZARDOUS MATERIAL

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 4711; 49 USC 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: The FAA will clarify the requirement for "will not carry" certificate holders in parts 121 and 135 to provide hazardous material recognition training so that such materials are not inadvertently placed onboard aircraft.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AFS-98-375R.

ANALYSIS: Regulatory Evaluation, 10/00/2000.

Agency Contact: Cindy Nordlie, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-7627

RIN: 2120-AG75

2440. +TRAFFIC ALERT AND COLLISION AVOIDANCE SYSTEMS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC

DOT—FAA

Proposed Rule Stage

44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 129

Legal Deadline: None

Abstract: This action proposes to require the installation and use of a traffic alert and collision system (TCAS) on certain cargo airplanes. Current regulations do not require TCAS installation on all-cargo airplanes. However, because the air cargo industry has experienced rapid growth and is increasingly sharing air space with other air carriers, the FAA is proposing this action to minimize the possibility of midair collisions involving cargo airplanes. This rulemaking proposes that affected airplanes be equipped with TCAS II, or another approved traffic alert and collision avoidance system, as appropriate, no later than October 31, 2003. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project No. AFS-98-314R

ANALYSIS: Regulatory Evaluation, 10/00/2000

Agency Contact: Alberta Brown, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8321

RIN: 2120—AG90

2441. +IMPROVED FLAMMABILITY STANDARDS FOR THERMAL/ACOUSTIC INSULATION MATERIALS USED IN TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action proposes to adopt new flammability standards that

specifically address flame propagation and entry of an external fire into the airplane (burnthrough) under realistic fire scenarios. The proposed standards are intended to reduce the incidence and severity of cabin fires, particularly those ignited in inaccessible areas where thermal/acoustic insulation materials are typically installed. Also the proposed standards would provide an increased level of safety with respect to post-crash fires by delaying the entry of such a fire into the cabin, thereby providing additional time for evacuation and enhancing survivability. The new standards would apply to new type designs, and newly manufactured airplanes entering parts 91, 121, 125, and 135 service. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-99-086R.

ANALYSIS: Regulatory Evaluation, 10/00/2000

Agency Contact: Jeff Gardlin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2136

RIN: 2120—AG91

2442. FAR/JAR HARMONIZATION ACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: The FAA will amend part 25 of the Federal Aviation Regulations (FAR) to harmonize certain requirements with the European Joint Aviation Requirements (JAR) 25. These revisions are the result of a cooperative effort with the Joint Aviation Authorities (JAA) of Europe and the U.S. and European aviation industry through the Aviation Rulemaking Advisory Committee. The changes are

intended to benefit the public by harmonizing certain requirements, concepts, and procedures contained in the airworthiness standards for transport category airplanes. These actions would achieve common requirements and language between the FAR and the JAR to reduce industry workload without reducing the level of safety provided by the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mahinder Wahi, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2589

RIN: 2120—AG92

2443. • +AIR TOUR OPERATIONS IN STATE OF HAWAII

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44701; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44717; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46502; 49 USC 46504; 49 USC 46504; 49 USC 46506; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47530

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action proposes to extend SFAR 71, which established certain procedural, operational, and equipment requirements for air tour operators in the State of Hawaii. The FAA intends to issue a national air tour safety proposal in the near future, but until this rulemaking becomes final, there is a need to extend SFAR 71 to ensure the continuing safe environment for conducting air tours in Hawaii. During the 9 year period between 1982 and 1991, there were 11 air tour accidents with 24 fatalities in Hawaii. The apparent causes of the accidents ranged from engine power loss to encounters with adverse weather. On September 26, 1994, the FAA published an emergency final rule as SFAR 71.

DOT—FAA

Proposed Rule Stage

The rule established additional operating procedures, including minimum safe altitudes (and associated increases in visual flight rules weather minimums), minimum equipment requirements, and operational limitations for air tour aircraft in the State of Hawaii. SFAR 71 was subsequently extended until October 26, 2000. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AH02

2444. • NOISE CERTIFICATION STANDARDS FOR SUBSONIC JET AIRPLANES AND SUBSONIC TRANSPORT CATEGORY LARGE AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44715

CFR Citation: 14 CFR 36

Legal Deadline: None

Abstract: This action proposes changes to the noise certification standards for subsonic jet airplanes and subsonic transport category large airplanes. These proposed changes are based on the joint effort of the FAA, the European Joint Aviation Authorities (JAA, and Aviation Rulemaking Advisory Committee (ARAC), to harmonize the U.S. noise certification regulations and the European Joint Aviation Requirements for subsonic jet airplanes and subsonic transport category large airplanes. These proposed changes would provide nearly uniform noise certifications standards for airplanes certificated in the U.S. and in the JAA countries. The harmonization of the noise certification standards would simplify airworthiness approvals for import and export purposes.

Timetable:

Action	Date	FR Cite
NPRM	07/11/00	65 FR 42796
NPRM Comment Period End	10/10/00	
Final Action	02/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Skalecky, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration
Phone: 202 267-3699

RIN: 2120-AH03

2445. • +FRACTIONAL OWNERSHIP

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 1155; 49 USC 40103; 49 USC 40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531

CFR Citation: 14 CFR 61; 14 CFR 91; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: The FAA proposes to update and revise the regulations governing operations by aircraft in fractional ownership programs. Current regulations do not adequately define fractional ownership programs nor clearly allocate responsibility and authority for safety and compliance with the regulations. This proposal will define fractional ownership programs and their participants, allocate responsibility and authority for safety of flight operations for purposes of compliance with the regulations, and ensure that fractional ownership program aircraft operations maintain a high level of safety. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Katherine Hakala Perfetti, Flight Standards Service, Department of Transportation, Federal Aviation Administration
Phone: 202 267-3760

RIN: 2120-AH06

2446. • +FLIGHT SIMULATION DEVICE QUALIFICATION

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302

CFR Citation: 14 CFR 1; 14 CFR 11; 14 CFR 60; 14 CFR 61; 14 CFR 63; 14 CFR 141; 14 CFR 142

Legal Deadline: None

Abstract: The FAA proposes to amend the regulations to establish flight simulation device qualification requirements for all certificate holders in a new part. The basis of these requirements currently exists in different parts of the FAA's regulations and in advisory circulars. The proposed changes would consolidate and update flight simulation device requirements. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Edward Cook, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337
Phone: 404 305-6100

RIN: 2120-AH07

2447. • +STREAMLINED ENFORCEMENT TEST AND EVALUATION PROGRAM; SECURITY; ANTIDRUG AND ALCOHOL MISUSE PREVENTION PROGRAMS; UNRULY PASSENGERS

Priority: Other Significant

Legal Authority: 18 USC 6002; 28 USC 2461; 49 USC 106(g); 49 USC 5121 to

DOT—FAA

Proposed Rule Stage

5142; 49 USC 40113 to 40114; 49 USC 44103 to 44106; 49 USC 44702 to 44703; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49 USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111; 49 USC 47122; 49 USC 47306; 49 USC 47531 to 47532

CFR Citation: 14 CFR 13

Legal Deadline: None

Abstract: This action proposes to amend the administrative assessment of civil penalties, establish streamlined procedures for assessing penalties in certain cases against unruly passengers, airports and air carriers for certain security violations; and against employers, contractors, and consortia as defined under 14 CFR part 121, for certain antidrug and alcohol misuse prevention programs violations. This action will also propose to delegate authority to program office managers to initiate legal enforcement actions and reduces the number of documents issued in the processing of legal enforcement actions. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cynthia Dominik, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, Washington, DC 20590
Phone: 202 267-7560

RIN: 2120-AH09

2448. • NOISE CERTIFICATION REGULATIONS FOR HELICOPTERS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44715; PL 96-193; EO 11514

CFR Citation: 14 CFR 36

Legal Deadline: None

Abstract: This proposal is based on a joint effort by the FAA, the European Joint Aviation Authorities (JAA), and the Aviation Rulemaking Advisory Committee (ARAC) to harmonize the U.S. noise certification regulations and

the European Joint Aviation Requirements (JAR) for helicopters. The proposed changes would provide nearly uniform noise certification standards for helicopters certificated in the U.S., the JAA countries, and other countries that have adopted as their National regulation either the US regulations, the JAA regulations, or the International Civil Aviation Organization standards. The harmonization of the noise certification standards would simplify airworthiness approvals for import and export purposes.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AEE-94-367A.

Agency Contact: Sandy Liu, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 493-4864

RIN: 2120-AH10

Department of Transportation (DOT)

Final Rule Stage

Federal Aviation Administration (FAA)

2449. OBJECTS AFFECTING NAVIGABLE AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113 to 40114; 49 USC 44502; 49 USC 44701; 49 USC 44718; 49 USC 46101 to 46102; 49 USC 46104

CFR Citation: 14 CFR 77

Legal Deadline: None

Abstract: This action would amend the standards, aeronautical studies, scope, and notice provisions concerning objects affecting navigable airspace. The notice consisted primarily of changes required by recent legislation or recommended by a government/industry task group of the National Airspace Review Advisory Committee. This action would also cover electromagnetic interference phenomenon that could create a hazard to air navigation.

Timetable:

Action	Date	FR Cite
Notice of Review	06/19/78	43 FR 26322
Review Conference	12/08/80	
NPRM	08/03/90	55 FR 31722
NPRM Correction	08/13/90	55 FR 32999
NPRM Correction	08/16/90	55 FR 33577
NPRM Correction	08/28/90	55 FR 35152
NPRM Correction	09/10/90	55 FR 37287
NPRM Comment Period End	12/31/90	
SNPRM	10/16/95	60 FR 53680
SNPRM Comment Period End	11/30/95	
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ATO-85-015R.

ANALYSIS: Regulatory Evaluation, 08/03/90, 55 FR 31722

Agency Contact: Ellen Crum, Air Traffic Rules Procedures Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8783

RIN: 2120-AA09

2450. MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 5103; 49 USC 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44703; 49 USC 44705; 49 USC 44706; 49 USC 44707; 49 USC 44709; 49 USC 44710; 49 USC 44711; 49 USC 44712

DOT—FAA

Final Rule Stage

CFR Citation: 14 CFR 21; 14 CFR 65; 14 CFR 107; 14 CFR 121; 14 CFR 135; 14 CFR 145

Legal Deadline: None

Abstract: The FAA is withdrawing a previously published Notice of Proposed Rulemaking (NPRM) that proposed to amend various sections of the regulations. The proposal was to clarify language, correct improper or obsolete references, and to relax certain existing requirements. Since publication of the NPRM, many other completed, in-process, or planned actions have addressed or will address many of the issues involved. The FAA has determined that all unresolved issues should be included in more recent actions dealing with the specific sections of the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/03/83	48 FR 45214
NPRM Comment Period End	12/02/83	
To Be Withdrawn	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. 23781. Project Number: ARM-81-128R.

ANALYSIS: Regulatory Evaluation, 10/03/83, 48 FR 45214

Agency Contact: Linda L. Williams, Office of Rulemaking, ARM-100, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-9685

RIN: 2120-AA50

2451. +PART 145 REVIEW: REPAIR STATIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 44705; 49 USC 44707; 49 USC 44709; 49 USC 44710; 49 USC 44711; 49 USC 44713; 49 USC 44717; 49 USC 45102 to 45103; 49 USC 45301 to 45302; 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44703

CFR Citation: 14 CFR 43; 14 CFR 65; 14 CFR 145

Legal Deadline: None

Abstract: The FAA proposes to update and revise the regulations for repair stations. This action is necessary because many portions of the current repair station regulations do not reflect technical advances in aircraft maintenance practices or aircraft technology. The revisions would reorganize the repair station rules to reduce duplication of regulatory language and eliminate obsolete information. The proposal also would establish new requirements that relate to repair station ratings and classes, manual requirements, recordkeeping, and personnel. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Notice of Public Meetings	07/24/89	54 FR 30866
Notice Correction	08/08/89	54 FR 32563
NPRM	06/21/99	64 FR 33142
NPRM Comment Period End	10/19/99	
NPRM Comment Period Extended	10/21/99	
NPRM Comment Period End	12/03/99	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-87-045R. This project was formerly entitled Review and Revision of Repair Station Requirements, and Repair Station and Repairmen Certification Rules.

ANALYSIS: Regulatory Evaluation, 06/21/99, 64 FR 33142

Agency Contact: Richard Nowak, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-7228

RIN: 2120-AC38

2452. +SOLE RADIO NAVIGATION SYSTEM; MINIMUM STANDARDS FOR CERTIFICATION

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306

CFR Citation: 14 CFR 91

Legal Deadline: Final, Statutory, September 30, 1989.

Abstract: The FAA is withdrawing a previously published Advance Notice of Proposed Rulemaking (ANPRM) that proposed to establish minimum standards under which a radio navigation system may be certified as the sole radio navigation system required in an aircraft conducting Instrument Flight Rules en route and terminal area operations, including nonprecision approach, in controlled airspace of the United States. This rulemaking was considered to be significant because of a congressional mandate. However, the provision was repealed in 1994 as part of the recodification of Title 49. The provision was originally enacted as section 310(c) in FAA's 1987 Reauthorization bill, Pub. L. No. 100-123.

Timetable:

Action	Date	FR Cite
ANPRM	01/22/90	55 FR 2206
ANPRM Comment Period End	05/22/90	
To Be Withdrawn	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-89-215R. This project was formerly entitled Sole Means Radio Navigation System.

Agency Contact: James Crowling, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-5215

Linda Valencia, Office of Civil Aviation Security Policy and Planning, Department of Transportation, Federal Aviation Administration, 800

DOT—FAA

Final Rule Stage

Independence Avenue SW,
Washington, DC 20591
Phone: 202 267-8222

RIN: 2120—AD26

2453. +REVISION OF PART 108, AIRPLANE OPERATOR SECURITY

Priority: Other Significant

Legal Authority: 40 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44901 to 44905; 49 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 108

Legal Deadline: None

Abstract: This action would amend part 108 of the Federal Aviation Regulations to incorporate new requirements in response to worldwide terrorist activity. This rulemaking is considered significant because of its safety implications and substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	08/01/97	62 FR 41730
Notice of Public Meeting	09/15/97	62 FR 48190
NPRM Comment Period End	12/01/97	
Notice of Public Meeting	04/21/98	63 FR 19691
NPRM Comment Period Reopened	08/10/99	
Comment Period End	09/24/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ACS-87-107R.

ANALYSIS: Regulatory Evaluation, 08/01/97, 62 FR 41730

Agency Contact: Karl Schrum, Office of Civil Aviation Security, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-3946

RIN: 2120—AD45

2454. +REVISION OF PART 107, AIRPORT SECURITY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44706; 49 USC 44901 to 44905; 49 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 107

Legal Deadline: None

Abstract: This action proposes to amend part 107 of the Federal Aviation Regulations to incorporate new requirements in response to the worldwide terrorist activity. This rulemaking is considered significant because of its safety implications and substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	08/01/97	62 FR 41760
Notice of Public Meeting	09/15/97	62 FR 48190
NPRM Comment Period End	12/01/97	
Notice of Public Meeting	04/21/98	63 FR 19691
Comment Period End	04/21/98	63 FR 19691
6/26/98		
NPRM Comment Period Reopened	08/10/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ACS-87-106R.

ANALYSIS: Regulatory Evaluation, 08/01/97, 62 FR 41760

Agency Contact: Bob Cammaroto, Office of Civil Aviation Security, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8553

RIN: 2120—AD46

2455. +AGING AIRCRAFT SAFETY

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC

44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135; 14 CFR 183

Legal Deadline: Other, Statutory, April 24, 1992, Action must be initiated by 04/24/92 per Aging Aircraft Safety Act of 1991.

Abstract: On October 5, 1993, the FAA published an NPRM that proposed to require air carriers of certain aircraft used in air transportation to demonstrate that the aircraft's maintenance has been adequate to ensure the highest degree of safety. After further review, and taking into consideration public comments to the NPRM, the FAA withdrew that NPRM. On March 19, 1999, the FAA issued a new NPRM that would ensure the continuing airworthiness of the most significant aging airplanes operating in air transportation by mandating aging aircraft records reviews and inspections for certain air carriers and certain aircraft and also by applying modern damage-tolerance analyses and inspection techniques to older airplane structures that were certificated before such techniques were available. The comment period closed on October 18, 1999, This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/05/93	58 FR 51944
NPRM Comment Period End	02/02/94	
Comment Period End	02/08/94	59 FR 5741
3/4/94		
NPRM	04/02/99	64 FR 16298
NPRM Comment Period End	08/02/99	
NPRM Comment Period Reopened	08/18/99	
Comment Period End	10/08/99	
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number AFS-92-029R.

ANALYSIS: Regulatory Evaluation, 04/02/99, 64 FR 16298

Agency Contact: Frederick Sobeck, Aircraft Maintenance Division, Flight Standards Service, Department of Transportation, Federal Aviation

DOT—FAA

Final Rule Stage

Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-7355

RIN: 2120—AE42

2456. FLIGHT ATTENDANT ENGLISH LANGUAGE PROFICIENCY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: The FAA has reviewed the Aviation Rulemaking Advisory Committee recommendation to proceed with this rulemaking. The FAA has determined that it would be most appropriate to address the flight attendant English language issue in the overall context of crew training. Therefore, because the FAA will incorporate the flight attendant English language issue into the proposed revision of part 121 subpart N and O notice of proposed rulemaking, this rulemaking entry will be withdrawn.

Timetable:

Action	Date	FR Cite
ANPRM	04/18/94	59 FR 18456
ANPRM Comment Period End	07/18/94	
To Be Withdrawn	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AFS-93-745A

Agency Contact: Cindy Nordlie, Office of Rulemaking, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-7627

RIN: 2120—AE98

2457. +REVISED ACCESS TO TYPE III EXITS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702;

49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 25; 14 CFR 121

Legal Deadline: None

Abstract: This action would adjust requirements for access to type III emergency exits in transport category airplanes with 60 or more passenger seats. The adjustments would reflect new data from tests conducted at the FAA's Civil Aeromedical Institute and are intended to improve the ability of occupants to evacuate an airplane under emergency conditions. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	01/30/95	60 FR 5794
NPRM Comment Period End	05/01/95	
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-93-005R.

Agency Contact: Mahinder Wahi, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2589

RIN: 2120—AF01

2458. LOS ANGELES, CA, CLASS B AIRSPACE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71

Legal Deadline: None

Abstract: The FAA is withdrawing a previously published Notice of Proposed Rulemaking (NPRM) that proposed to alter the Los Angeles, CA, Class B airspace area. The proposal would have lowered certain ceilings while raising others to provide more visual flight rules altitudes to circumnavigate the Los Angeles Class B airspace and to provide for better containment of arriving turbojets. This

action will be handled as a routine airspace action.

Timetable:

Action	Date	FR Cite
NPRM	11/22/94	59 FR 60244
NPRM Comment Period End	01/23/95	
To Be Withdrawn	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ATP-94-035T RIN 2120-AF38 was inadvertently used when this rulemaking was published in the Federal Register on November 22, 1994. The correct RIN is 2120-AF16.

ANALYSIS: Regulatory Evaluation, 11/22/94, 59 FR 60244

Agency Contact: William Nelson, Airspace and Obstruction Evaluation Branch, Air Traffic Rules and Procedures Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9295

RIN: 2120—AF16

2459. OPERATIONAL AND STRUCTURAL DIFFICULTY REPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44707; 49 USC 44709 to 44711

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135; 14 CFR 145

Legal Deadline: None

Abstract: This action would amend the reporting requirements for air carrier certificate holders and certificated domestic and foreign repair stations concerning failures, malfunctions, and defects of aircraft, aircraft engines, systems, and components. The proposed rule would clarify and standardize the reporting requirements for the type of information submitted to the FAA, allowing the FAA to identify trends that may affect aviation safety. This action was prompted by an internal FAA review of industry

DOT—FAA

Final Rule Stage

concern over the quality of the data being reported by air carriers. The objective of the proposed rule is to update and improve the reporting system to effectively collect and disseminate clear and concise information, particularly with regard to aging aircraft, to the aviation industry.

Timetable:

Action	Date	FR Cite
NPRM	08/14/95	60 FR 41992
NPRM Comment Period End	11/13/95	
SNPRM	04/15/99	64 FR 18766
SNPRM Comment Period End	06/01/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: AFS-95-237A. This is a recommendation from the Aviation Rulemaking Advisory Committee.

ANALYSIS: Regulatory Evaluation, 08/14/95, 60 FR 41992.

Regulatory Evaluation, 04/15/99, 64 FR 18766.

Agency Contact: Benjamin Burton, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-3440**RIN:** 2120-AF71**2460. BIRD INGESTION STANDARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 33**Legal Deadline:** None

Abstract: This action proposes changes to amend the type certification standards for aircraft turbine engines that concern bird ingestion. This proposal updates the current bird ingestion standards to reflect recent analysis defining the actual bird threat encountered by turbine engines. This proposal also harmonizes the FAA's type certification standards on this issue with requirements being drafted by the Joint Aviation Authorities (JAA). The proposed changes, if adopted, would establish one set of common

requirements, and thereby reduce the regulatory hardship on the aviation industry by eliminating the need for manufacturers to comply with different sets of standards when seeking type certification from the FAA and validation from the JAA.

Timetable:

Action	Date	FR Cite
NPRM	12/11/98	63 FR 68636
NPRM Comment Period End	03/11/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: ANE-97-476A. This is an Aviation Rulemaking Advisory Committee project.

ANALYSIS: Regulatory Evaluation, 12/11/98, 63 FR 68636

Agency Contact: Mark Bouthillier, Engine and Propeller Directorate, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299 Phone: 781 238-7119**RIN:** 2120-AF84**2461. LICENSE REQUIREMENTS FOR OPERATION OF A LAUNCH SITE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 70101 to 70119**CFR Citation:** 14 CFR 415; 14 CFR 417**Legal Deadline:** None

Abstract: This action would establish requirements for licensing the operation of a launch site. The law requires anyone who proposes to operate a launch site within the U.S., or a U.S. citizen proposing to operate a launch site outside the U.S., to obtain a license from DOT. This action would govern obtaining a license to operate such a launch site. Currently, commercial rocket launches take place from Federal government installations operated by the Department of Defense and NASA. Licensing requirements for those launches are being developed in a related rulemaking (RIN 2120-AF99). In this action, DOT proposes to implement rules regarding obtaining a license to operate a launch site.

Timetable:

Action	Date	FR Cite
NPRM	06/25/99	64 FR 34316
NPRM Comment Period End	09/23/99	
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** None**Additional Information:** Project Number: AST-96-341R.

The reason this rulemaking was downgraded to Non-Significant is because the cost of \$23,000 to industry does not meet the required threshold and the practices proposed are traditional measures and therefore should be non-controversial with the affected industry.

ANALYSIS: Regulatory Evaluation, 06/25/99, 64 FR 34316

Agency Contact: Randy Repcheck, Licensing and Safety Division, AST-200, Office of Commercial Space, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591 Phone: 202 267-8379**RIN:** 2120-AG15**2462. REVISED PRECISION APPROACH LANDING SYSTEMS POLICY****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: This statement announces the FAA's proposed policy for acquisition, installation, maintenance, and decommissioning of the instrument landing system (ILS) and the microwave landing system (MLS) during the transition to the global positioning system (GPS). The policy statement of December 1989 announced the transition from the ILS to the MLS for precision approach service in the National Airspace System. Since that time, advancement of GPS-based landing system technology has provided a more economical means of providing approach services.

DOT—FAA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Policy Statement	12/27/89	54 FR 53231
Policy Statement	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Michael Wedge, Airway Facilities Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-7848

RIN: 2120—AG16

2463. +FEES FOR AIR TRAFFIC SERVICES FOR CERTAIN FLIGHTS THROUGH U.S.-CONTROLLED AIRSPACE AND FOR AERONAUTICAL STUDIES

Priority: Other Significant

Legal Authority: 49 USC 45301 to 45303; 49 USC 46101 to 46102; 49 USC 46104; 49 USC 9701; 49 USC 106 (g); 49 USC 40103; 49 USC 40104 to 40105; 49 USC 40109; 49 USC 40113 to 40114; 49 USC 44502; 49 USC 44701; 49 USC 44702; 49 USC 44718

CFR Citation: 14 CFR 77; 14 CFR 187**Legal Deadline:** None

Abstract: Pursuant to the 1996 FAA Reauthorization Act, the FAA is issuing another interim rule to establish fees and collection procedures for FAA air traffic and related services provided to certain aircraft that transit U.S.-controlled airspace but neither take off from, nor land in, the United States. Previously, the FAA issued an Interim Final Rule that was remanded back to FAA by the United States Court of Appeals for the District of Columbia. That Interim Final Rule was withdrawn by the Final Rule issued on July 24, 1998. The new Interim Final Rule complies with the Court's decision. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/20/97	62 FR 13496
Correction	04/29/97	62 FR 23295
Correction	05/05/97	62 FR 24552
Interim Final Rule Effective	05/19/97	
Comment Period End	07/18/97	
Interim Final Rule	10/02/97	62 FR 51736

Action**Date****FR Cite**

Interim Final Rule Effective	10/02/97	
Interim Final Rule	07/24/98	63 FR 40000
Interim Final Rule	06/06/00	65 FR 36002
Interim Final Rule Effective	08/01/00	
Comment Period End	10/04/00	
Final Action	01/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Project Number: APO-96-172R.

ANALYSIS: Regulatory Evaluation, 03/20/97, 62 FR 13496

Regulatory Evaluation, 06/06/00, 65 FR 36002

Agency Contact: Tim Lawler, Office of Aviation Policy and Plans, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-7052

RIN: 2120—AG17

2464. +PROTECTION OF VOLUNTARILY SUBMITTED INFORMATION

Priority: Other Significant**Legal Authority:** Not Yet Determined**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The Administrator has been tasked, under the Federal Aviation Reauthorization Act of 1996, to develop regulations to protect safety and security related information voluntarily disclosed by industry. The FAA is in the process of determining what voluntarily submitted information should be given protection under the statute. The FAA reopened the comment period. This rulemaking is significant because of substantial industry interest.

Timetable:

Action	Date	FR Cite
NPRM	07/26/99	64 FR 40472
NPRM Comment Period End	09/24/99	
NPRM Comment Period Reopened	10/05/99	
Comment Period End	11/04/99	
Final Action	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Project Number: ARM-97-040R.

ANALYSIS: Regulatory Evaluation, 07/26/99, 64 FR 40472.

Agency Contact: Mardi Thompson, Regulations Division, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3073

RIN: 2120—AG36

2465. +SCREENING OF CHECKED BAGGAGE ON FLIGHTS WITHIN THE UNITED STATES

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44901 to 44905; 49 USC 44907; 49 USC 44913 to 44914; 49 USC 44932; 49 USC 44935 to 44936; 49 USC 46105

CFR Citation: 14 CFR 108**Legal Deadline:** None

Abstract: The FAA is proposing the screening or bag matching of passenger checked baggage on domestic flights by utilizing an FAA-approved Computer Assisted Passenger Screening (CAPS) system. This is in response to a recommendation from the White House Commission on Aviation Safety and Security (The Commission) "Final Report to President Clinton." The Commission recommended that one of the steps that should be taken to improve airline passenger security is the implementation by the FAA of a computerized system for profiling airline passengers flying out of airports located in the United States. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/19/99	64 FR 19220
Correction	05/03/99	64 FR 23554
Correction	05/28/99	64 FR 28945
Comment Period Extended	06/11/99	64 FR 31686

DOT—FAA

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	06/18/99	
Comment Period End	08/17/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Lon M. Siro, Civil Aviation Security Office of Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-3414

RIN: 2120—AG51**2466. PARACHUTE OPERATIONS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113 to 40114; 49 USC 44701 to 44702; 49 USC 44721

CFR Citation: 14 CFR 105**Legal Deadline:** None

Abstract: This rulemaking will clarify and update the Federal Aviation Regulations by defining terms applicable to parachute operations and issues concerning coordinating parachute operations with air traffic control, tandem parachute operations, and packing and equipment requirements for foreign parachutists when parachuting in the United States. Also, this action is necessary to reflect recent airspace reclassification and parachuting equipment applications.

Timetable:

Action	Date	FR Cite
NPRM	04/13/99	64 FR 18302
NPRM Comment Period End	07/12/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Project Number: ATA-91-202R.

ANALYSIS: Regulatory Evaluation, 04/13/99, 64 FR 18302.

Agency Contact: Ellen Crum, Air Traffic Rules Procedures Branch, Department of Transportation, Federal Aviation Administration, 800

Independence Avenue SW,
Washington, DC 20591
Phone: 202 267-8783

RIN: 2120—AG52**2467. +POLICY REGARDING AIRPORT RATES AND CHARGES****Priority:** Other Significant**Legal Authority:** 49 USC 47129**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: A statement of policy, Policy Regarding Airport Rates and Charges (Policy Statement), which was required by Congress as part of the DOT Authorization Act of 1994, was published in the Federal Register (61 FR 31994) on June 21, 1996. That Policy Statement announced DOT and FAA policy on the fees charged by Federally assisted airports to air carriers and other aeronautical users. This proposed action requests comments on replacement provisions for the portions of the Policy Statement vacated by the United States Court of Appeals for the District of Columbia Circuit. The Court disallowed a portion of the policy that had to do with historic cost valuation of airport property. DOT and FAA are beginning this proceeding in order to carry out their responsibility to establish reasonableness guidelines for airport fees. This policy is significant due to substantial industry interest.

Timetable:

Action	Date	FR Cite
Advance Notice of Proposed Policy	08/12/98	63 FR 43228
Comment Period End	10/13/98	
Comment Period Extended	12/22/98	63 FR 70834
Comment Period End	01/31/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** None

Additional Information: Cite per reference in Abstract paragraph, United States Court of Appeals for the District of Columbia Circuit in *Air Transport Association of America v. Department of Transportation*, 119 F.3d 38 (D.C. Cir. 1997), as modified on rehearing, Order of Oct. 15, 1997. Previous RIN for the Policy Statement published in the Federal Register is 2120-AF90.

Agency Contact: Barry Molar, Manager, Airport Compliance Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-3446

RIN: 2120—AG58**2468. +TRANSPORT AIRPLANE FLEET FUEL TANK IGNITION SOURCE REVIEW; FLAMMABILITY REDUCTION, AND MAINTENANCE AND INSPECTION REQUIREMENTS****Priority:** Other Significant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40105; 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715; 49 USC 45303

CFR Citation: 14 CFR 21**Legal Deadline:** None

Abstract: This action will require type certificate holders of certain turbojet and turbofan-powered transport category airplanes to conduct a design review of fuel tank systems and develop fuel system inspection and maintenance instructions. It will also allow a certificate holder to submit documentation that the type design of the fuel system of a previously certificated airplane precludes existence of ignition sources within the airplane's fuel tanks. This action is significant because of substantial public interest in the prevention of fire and explosion in airplane fuel tanks.

Timetable:

Action	Date	FR Cite
NPRM	10/29/99	64 FR 58644
NPRM Comment Period End	01/27/00	
Correction	02/03/00	65 FR 5024
Reopen NPRM Comment Period	02/16/00	65 FR 8006
NPRM Comment Period End	03/27/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Project Number: ANM-98-158R.

ANALYSIS: Regulatory Evaluation, 05/00/2001

Agency Contact: Mike Dostert, Transport Airplane Directorate, Aircraft

DOT—FAA

Final Rule Stage

Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2132
RIN: 2120—AG62

2469. COMMERCIAL SPACE TRANSPORTATION REUSABLE LAUNCH VEHICLE AND REENTRY LICENSING REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2601

CFR Citation: 14 CFR 401; 14 CFR 404; 14 CFR 406; 14 CFR 413; 14 CFR 417; 14 CFR 431; 14 CFR 433

Legal Deadline: None

Abstract: This action will amend the commercial space transportation licensing regulations by establishing operational requirements for launches of reusable launch vehicles and the authorized conduct of commercial space reentry activities. The proposed rule would respond to advancements in the development of commercial reentry capability and enactment of legislation extending the FAA's licensing authority to reentry activities.

Timetable:

Action	Date	FR Cite
NPRM	04/21/99	64 FR 19626
NPRM Comment Period End	07/20/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AST-98-174R.

Agency Contact: Stewart W. Jackson, Office of the Associate Administrator for Commercial Space Transportation, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-7903

RIN: 2120—AG71

2470. REVISED LANDING GEAR SHOCK ABSORPTION TEST REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 40113; 49 USC 44502; 49 USC 44701; 49 USC

44718; 49 USC 46101 to 46102; 49 USC 46104; 49 USC 106(g); 49 USC 40103

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the landing gear shock absorption test requirements for transport category airplanes to be consistent with other requirements, to reflect modern technology and to achieve common requirements and language between the Federal aviation requirements and the European joint aviation requirements without reducing the level of safety provided by the regulations and industry practices.

Timetable:

Action	Date	FR Cite
NPRM	06/18/99	64 FR 32978
NPRM Comment Period End	10/18/99	
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-98-182A.

ANALYSIS: Regulatory Evaluation, 06/18/99, 64 FR 32978

Agency Contact: James Haynes, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Rind Avenue SW., Renton, WA 98055
Phone: 425 227-2131

RIN: 2120—AG72

2471. FINANCIAL RESPONSIBILITY REQUIREMENTS FOR LICENSED REENTRY ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2601

CFR Citation: 14 CFR 450

Legal Deadline: None

Abstract: This proposal will establish financial responsibility requirements covering risks associated with the licensed reentry of a reentry vehicle. This action will provide general rules for demonstrating compliance with insurance requirements and implementing statutory-based Government/industry risk-sharing provisions in manner comparable to that currently utilized for commercial launches.

Timetable:

Action	Date	FR Cite
NPRM	10/06/99	64 FR 54447
NPRM Comment Period End	12/06/99	
NPRM Comment Period Reopened	12/13/99	
Comment Period End	01/21/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AST-99-055R.

This rulemaking has been downgraded to Nonsignificant because the Congressional interest has been adequately addressed by formalizing current practice (Financial Responsibility Requirements for Licensed Launch Activities) that resulted in little or no additional cost to the industry.

ANALYSIS: Regulatory Evaluation, 10/06/99, 64 FR 54447

Agency Contact: Esta Rosenberg, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9306

RIN: 2120—AG76

2472. REVISION OF BRAKING SYSTEMS AIRWORTHINESS STANDARDS TO HARMONIZE WITH EUROPEAN AIRWORTHINESS STANDARDS FOR TRANSPORT CATEGORY AIRPLANES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701; 49 USC 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action proposes to revise the airworthiness standards for transport category airplanes to harmonize braking systems design and test requirements with standards proposed for the European Joint Aviation Requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/10/99	64 FR 43570
Correction	08/20/99	64 FR 45589

DOT—FAA

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	11/08/99	
Final Action	03/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-98-302A.

ANALYSIS: Regulatory Evaluation, 08/10/99, 64 FR 43570

Agency Contact: Mahinder K. Wahi, Transport Airplane Directorate, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, VA 98055
Phone: 425 227-2142

RIN: 2120—AG80**2473. +CERTIFICATION OF SCREENING COMPANIES****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5103; 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44707; 49 USC 44712; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44905; 49 USC 44906; 49 USC 44907; 49 USC 44913 to 44914

CFR Citation: 14 CFR 108; 14 CFR 109; 14 CFR 111; 14 CFR 129

Legal Deadline: None

Abstract: This action will require that all companies that perform aviation security screening be certificated by the FAA and meet enhanced requirements. This action is in response to a recommendation by the White House Commission on Aviation Safety and Security and to a Congressional mandate in the Federal Aviation Reauthorization Act of 1996. The action is intended to improve the screening of passengers, accessible property, checked baggage, and cargo, and to provide standards for consistent high performance and increased accountability of screening companies. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	01/05/00	65 FR 560
NPRM Comment Period End	04/04/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ACP-98-299R.

ANALYSIS: Regulatory Evaluation, 01/05/2000, 65 FR 560

Agency Contact: Scott Cummings, Office of Civil Aviation Security Policy and Planning, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9468

RIN: 2120—AG84**2474. HIGH DENSITY RULE****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40103; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301

CFR Citation: 14 CFR 93**Legal Deadline:** None

Abstract: This action requests comments concerning a proposed interpretation of the FAA's rules relating to High Density Traffic Airports. The FAA is considering changing its interpretation of the term operator to allow one code share partner to provide extra section back-up using the other partner's arrival or departure reservation (slot). Delta Airlines has asked FAA for an interpretation of the extra sections provisions of the FAA's slot rules to allow them to back up a Delta Shuttle flight operated for them by their code share partner, using the partner's slot. In the past the FAA has interpreted its rules to deny one carrier the use of another carrier's slot. However, in the light of current code sharing practices the FAA believes that it is a reasonable interpretation of the language of the regulation to allow a code share partner to provide extra section back-up using the slot of the partner operating the first slot.

Timetable:

Action	Date	FR Cite
Proposed Interpretation; Request for Comments	07/02/99	64 FR 35963
Comment Period End	07/12/99	

Action	Date	FR Cite
Comment Period Reopened	08/13/99	64 FR 44145
Comment Period End	09/13/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Lorelei Peter, Office of the Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-3134

RIN: 2120—AG85**2475. +REVISIONS TO DIGITAL FLIGHT DATA RECORDER REGULATIONS FOR B-737 AIRPLANES AND FOR PART 125 OPERATORS****Priority:** Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 125**Legal Deadline:** None

Abstract: The FAA proposes to amend the digital flight data recorder rules for transport category airplanes to add a requirement for all Boeing 737 (B-737) series airplanes to record additional flight data parameters. This amendment is based on safety recommendations issued by the National Transportation Safety Board following the investigation of the 1994 USAir Flight 427 accident. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	11/18/99	64 FR 63139
NPRM Comment Period End	12/20/99	
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Project Number: AIR-99-272R.

DOT—FAA

Final Rule Stage

ANALYSIS: Regulatory Evaluation, 11/18/99, 64 FR 63139

Agency Contact: George Kaseote, Policy and Procedures Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8541

RIN: 2120—AG87

2476. +CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS (SECTION 610 REVIEW)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40101; 49 USC 40103; 49 USC 40109; 49 USC 40113; 49 USC 44110; 49 USC 44502; 49 USC 44701; 49 USC 44702; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715

CFR Citation: 14 CFR 21

Legal Deadline: None

Abstract: The FAA intends to conduct a 610 review (a review under section 610 of the Regulatory Flexibility Act) of this part and RIN 2120-AG93 has been added to the Agenda to reflect this review. The FAA carries out its responsibility to promote safety of flight of civil aircraft in air commerce by prescribing minimum standards governing the design and construction of aircraft, aircraft engines and propellers and appliances as may be required in the interest of safety. The FAA has established procedural requirements in 14 CFR part 21 for the issuance of the following certificates and approvals: (1) type certificates and changes to type certificates; (2) production certificates; (3) airworthiness certificates; (4) export airworthiness certificates and approvals; and (5) approvals of certain materials, parts processes and appliances produced for sale or installation on a type certificated product. Also contained in this part are the rules governing the holders of certificates. In order to be issued a type certificate, the applicant must show that the product complies with the airworthiness standards for the product (aircraft, aircraft engine, or propeller). The airworthiness standards are amended as needed to reflect continually changing technology, correct design deficiencies, and provide safety enhancements.

Timetable:

Action	Date	FR Cite
Review To Be Completed	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Paul Larson, Office of Aviation Policy and Plans, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, Washington, DC 20591
Phone: 202 267-3296

RIN: 2120—AG93

2477. GENERAL RULEMAKING PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40101; 49 USC 40103; 49 USC 40105; 49 USC 40109; 49 USC 40113; 49 USC 44110; 49 USC 44502; 49 USC 44701 to 44702; 49 USC 44711; 49 USC 46102

CFR Citation: 14 CFR 11

Legal Deadline: None

Abstract: The FAA is updating its general rulemaking procedures. The proposals are written in plain language and reflect changes in rulemaking procedures and processes. For example, the dockets management system now accepts electronic comments and the public can view rulemaking dockets electronically. These changes will facilitate public involvement in the agency's rulemaking process.

Timetable:

Action	Date	FR Cite
NPRM	12/14/99	64 FR 69856
NPRM Comment Period End	01/28/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AGC-00-053R.

Agency Contact: Donald P. Byrne, Assistant Chief Counsel, Regulations Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591

Phone: 202 267-3073

RIN: 2120—AG95

2478. +CERTIFICATION OF AIRPORTS

Regulatory Plan: This entry is Seq. No. 99 in Part II of this issue of the **Federal Register**.

RIN: 2120—AG96

2479. SPECIAL FLIGHT RULES IN THE VICINITY OF GRAND CANYON NATIONAL PARK

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44704; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46502; 49 USC 46504; 49 USC 46506 to 46507; 49 USC 47122; 49 USC 47508; 49 USC 48528 to 47531

CFR Citation: 14 CFR 91; 14 CFR 93; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action will further postpone the effective date for the flight-free zones, Special Flight Rules Area, and corridors portions of the December 31, 1996, Grand Canyon final rule until January 31, 2001. The FAA finds that this rule is needed so that it may issue new regulations that will substantially restore natural quiet to the Grand Canyon National Park.

Timetable:

Action	Date	FR Cite
Final Rule Effective	01/31/00	
Final Rule; Request for Comments	02/03/00	65 FR 5396
Comment Period End	03/06/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Reginald C. Matthews, Office of Air Traffic Airspace Management, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8783

RIN: 2120—AG97

DOT—FAA

Final Rule Stage

2480. • FIRE PROTECTION REQUIREMENTS FOR POWERPLANT INSTALLATIONS ON TRANSPORT CATEGORY AIRPLANES**Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 9701; 49 USC 106(g); 49 USC 40103; 49 USC 40104 to 40105; 49 USC 40109; 49 USC 40113 to 40114; 49 USC 44702; 49 USC 45301 to 45303**CFR Citation:** 14 CFR 25**Legal Deadline:** None

Abstract: This action proposes to amend the airworthiness standards for transport category airplanes by requiring that components within a designated fire zone be fireproofed if, when exposed to or damaged by fire, they could pose a hazard to the airplane. This action is necessary because differences between the current U.S. and European requirements impose unnecessary costs on airplane manufacturers. These proposals are intended to achieve common requirements and language between U.S. regulations and the Joint Aviation Requirements (JAR) of Europe, while maintaining at least the level of safety provided by the current regulations and industry practice.

Timetable:

Action	Date	FR Cite
NPRM	06/12/00	65 FR 36978
NPRM Comment Period End	08/11/00	
Final Action	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-00-166A.

Agency Contact: Mike McRae, Airframe and Propulsion Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest

Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2133

RIN: 2120-AH00**2481. • ADVANCED QUALIFICATION PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 44912; 49 USC 46105**CFR Citation:** 14 CFR 121**Legal Deadline:** None

Abstract: This action proposes to extend the expiration date of SFAR 58, Advanced Qualification Program. The current SFAR expires October 2, 2000. SFAR 58 provides for the approval of an alternate method for qualifying, training and certifying, and otherwise ensuring the competency of crewmembers, aircraft dispatchers, other operations personnel, instructors, and evaluators who are required to be trained or qualified under 14 CFR parts 121 and 135. The proposed extension will allow time for the FAA to complete the rulemaking project that includes incorporating FAR 58 into a permanent rule in the Federal Aviation Regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/16/00	65 FR 37836
NPRM Comment Period End	07/17/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jan Demuth, Flight Standards Service, Department of

Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8922

RIN: 2120-AH01**2482. • REVISIONS TO DIGITAL FLIGHT DATA RECORDER REQUIREMENTS FOR AIRBUS AIRPLANES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 4019; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105**CFR Citation:** 14 CFR 121; 14 CFR 125**Legal Deadline:** None

Abstract: This action amends the flight data recorder regulations by adding language to allow certain Airbus airplanes to record certain data parameters using resolution requirements that differ slightly from the current regulation. This amendment is necessary because the Airbus airplanes are unable to record certain flight parameters under the existing criteria without undergoing unintended and expensive retrofit.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AH08
Department of Transportation (DOT)
Federal Aviation Administration (FAA)

Long-Term Actions

2483. +FUEL SYSTEM VENT FIRE PROTECTION**Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC

44101; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716

to 44717; 49 USC 44721; 49 USC 44722; 49 USC 44901

CFR Citation: 14 CFR 25; 14 CFR 121; 14 CFR 135**Legal Deadline:** None

DOT—FAA

Long-Term Actions

Abstract: This action would amend the airworthiness standards for transport category airplanes to require fuel vent system protection during post-crash ground fires. This proposed rule would apply to air carriers, air taxi operators, and commercial operators of transport category airplanes, as well as the manufacturers of such airplanes. This action is considered significant because of substantial public interest and the safety implications.

Timetable:

Action	Date	FR Cite
ANPRM	09/26/84	49 FR 38078
ANPRM Comment Period End	01/25/85	
NPRM	02/02/95	60 FR 6632
NPRM Comment Period End	06/02/95	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket 24251. Formerly entitled Implementation of SAFER Propulsion System Recommendations. Project Number: ANM-82-050R.

ANALYSIS: Regulatory Evaluation, 02/02/95, 60 FR 6632

Agency Contact: Mike McRae, Airframe and Propulsion Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2133

RIN: 2120-AA49

2484. AIRWORTHINESS STANDARDS; CRASH-RESISTANT FUEL SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 40 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 23

Legal Deadline: None

Abstract: This action proposes changes to the airworthiness standards to improve the crash resistance of fuel systems on normal, utility, acrobatic, and commuter category airplanes. The FAA has determined that improved crash resistance of these fuel systems is necessary to prevent deaths and

injuries due to fire in survivable crashes. The proposed design changes would limit fuel spillage near ignition sources and would provide additional time for the survivors to evacuate the airplane.

Timetable:

Action	Date	FR Cite
ANPRM	03/05/85	50 FR 8948
ANPRM Comment Period End	07/03/85	
NPRM	02/28/90	55 FR 7280
NPRM Comment Period End	06/28/90	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Formerly titled "Amend Part 23 To Include Requirements for Crash-Resistant Fuel Systems." Project Number: ACE-82-005R.

ANALYSIS: Regulatory Evaluation, 02/28/90, 55 FR 7280

Agency Contact: Norman Vetter, Standards Office, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106
Phone: 816 426-5688

RIN: 2120-AA57

2485. IFR ALTITUDES; MISCELLANEOUS AMENDMENTS

Priority: Routine and Frequent

Legal Authority: 49 USC 40120; 49 USC 44502; 49 USC 44514; 49 USC 44719; 49 USC 44721; 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40113; 49 USC 40114

CFR Citation: 14 CFR 95

Legal Deadline: None

Abstract: This is a nonsignificant body of regulations which prescribes altitudes for the operation of aircraft under instrument flight rules (IFR) on Federal airways, jet routes, area navigation low or high routes, or other direct routes for which a minimum en route IFR altitude is designated in 14 CFR part 95. In addition, mountainous areas and changeover points are designated. These regulations are an established body of technical requirements that are issued routinely and frequently to maintain operational

efficiency. Total actions expected—300. 10/00/2000 - 10/00/2001.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael L Henry, General Aviation and Commercial Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8212

RIN: 2120-AA63

2486. AIRWORTHINESS DIRECTIVES

Priority: Routine and Frequent

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701

CFR Citation: 14 CFR 39

Legal Deadline: None

Abstract: The FAA issues type certificates for "products," which are aircraft, engines, propellers, and some appliances. The FAA issues a regulation called an "Airworthiness Directive" (AD) to address an unsafe condition in a type certificated product, if that unsafe condition is likely to exist or develop in products of the same type design. Part 39 of title 14 requires each operator of a product affected by an AD to comply with the terms of the AD, in order to operate that product; the AD may mandate operational limitations, maintenance, or alterations for the affected product. The vast majority of routine and frequent Airworthiness Directives are nonsignificant. Total actions expected—650. 10/00/2000 to 10/00/2001.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Agency Contact: Jack McGrath, Aircraft Certification Service,

DOT—FAA

Long-Term Actions

Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9580

RIN: 2120-AA64

2487. STANDARD INSTRUMENT APPROACH PROCEDURES; MISCELLANEOUS AMENDMENTS

Priority: Routine and Frequent

Legal Authority: 49 USC 40103; 49 USC 40106; 49 USC 40113 to 40114; 49 USC 40120; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 44721 to 44722; 49 USC 106(g)

CFR Citation: 14 CFR 97

Legal Deadline: None

Abstract: Standard Instrument Approach Procedures (SIAP) provide for instrument letdown to airports in the United States. They are a nonsignificant body of regulations that are complex and technical in nature and require routine and frequent rulemaking to maintain efficiency. The FAA issues, revises, and cancels SIAPs by adopting amendments that are incorporated into 14 CFR part 97. Contemporaneously with publication in the Federal Register, the SIAPs are made available to the Aeronautical Charting and Cartography Office in the Department of Commerce and other publishers of aeronautical charts where they are published as approach procedure charts or "approach plates." These charts are made available to the members of the aviation community for use by pilots in making instrument approaches. Total actions expected—2,500. 10/00/2000 - 10/00/2001.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael L Henry, General Aviation and Commercial Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8212

RIN: 2120-AA65

2488. AIRSPACE ACTIONS

Priority: Routine and Frequent

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; EO 10854

CFR Citation: 14 CFR 71; 14 CFR 73; 14 CFR 75

Legal Deadline: None

Abstract: This is a nonsignificant body of regulations which designates airspace areas, airways, routes, and reporting points to facilitate safe navigation. These regulations are technical in nature and are issued routinely and frequently to maintain operational efficiency. Total actions expected—400. 10/00/2000 through 10/00/2001.

Timetable:

Action	Date	FR Cite
Actions Will Continue Through	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Pat Crawford, Manager, Airspace Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9255

RIN: 2120-AA66

2489. LOW FUEL QUANTITY ALERTING SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the airworthiness standards for transport category airplanes to require a means to alert the flight crew of potentially unsafe low fuel quantities. There have been several fuel depletion incidents involving loss of power or thrust on all engines that could have resulted in forced landings and injury or loss of life. Most of these incidents resulted from improper fuel management techniques. This proposed amendment would require new transport category airplane designs to incorporate a low fuel quantity alert system that would

allow for correction of certain fuel management errors or provide the flight crew the opportunity to make a safe landing prior to engine fuel starvation.

Timetable:

Action	Date	FR Cite
NPRM	05/12/87	52 FR 17890
NPRM Comment Period End	09/09/87	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. 25213. Project Number: ANM-83-039R.

ANALYSIS: Regulatory Evaluation, 05/12/87, 52 FR 17890

Agency Contact: Neil Schalekamp, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2112

RIN: 2120-AB46

2490. AIRCRAFT ENGINES: FUEL AND INDUCTION SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 33

Legal Deadline: None

Abstract: This action would add a new section 33.35(f) to the Federal Aviation Regulations which would incorporate a requirement for the fuel mixture and throttle controls to automatically move to a position allowing continued safe flight if either control becomes disconnected.

Timetable:

Action	Date	FR Cite
ANPRM	02/28/86	51 FR 7224
ANPRM Comment Period End	04/29/86	
NPRM	10/20/92	57 FR 47934
NPRM Comment Period End	02/17/93	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

DOT—FAA

Long-Term Actions

Additional Information: Project Number: ANE-85-002R. Former title: Engine Fuel and Induction Systems.

ANALYSIS: Regulatory Evaluation, 10/20/92, 57 FR 47934

Agency Contact: Locke Easton, Engine and Propeller Standards Staff, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, MA 01803
Phone: 617 273-7088

RIN: 2120—AB76

2491. REVIEW OF PART 47, AIRCRAFT REGISTRATION, AND PART 49, RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44713; 49 USC 45302; 49 USC 46104; 49 USC 46301

CFR Citation: 14 CFR 47; 14 CFR 49

Legal Deadline: None

Abstract: This notice would propose to update parts 47 and 49 of the Federal Aviation Regulations to reflect changes in the law, legal interpretations, other recent rulemaking actions, and the FAA's current aircraft registry practices. The intent of these proposed changes is to articulate, modernize, and simplify the existing regulations rather than alter established procedures.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-89-201R.

Agency Contact: Sharon Ashford, Registry Modernization Staff, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur Boulevard, Oklahoma City, OK 73125-4939
Phone: 405 954-7038

RIN: 2120—AC17

2492. INSTALLATION OF CRASHWORTHY FUSELAGE FUEL TANKS AND FUEL LINES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: NPRM, Statutory, February 3, 1989.

Abstract: This preliminary action was initiated to determine the feasibility of installing, in all air carrier aircraft, crashworthy fuselage fuel tanks and fuselage fuel lines which are rupture resistant and which disconnect and seal in the event of an accident. This notice solicited public participation in identifying and selecting a regulatory course of action by inviting interested persons to submit specific comments and arguments concerning this proposed regulatory action. Originally this rulemaking was considered significant. However, because there is no substantial public interest, this rulemaking is no longer significant.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/89	54 FR 18824
ANPRM Comment	10/30/89	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ANM-89-005R.

Agency Contact: Mike Dostert, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2132

RIN: 2120—AC87

2493. +DRUG ENFORCEMENT ASSISTANCE

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44702 to 44703; 49 USC 44704; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101

to 46110; 49 USC 46301 to 46316; 49 USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111

CFR Citation: 14 CFR 13; 14 CFR 47

Legal Deadline: Final, Statutory, September 18, 1989.

Abstract: This action would revise certain requirements concerning registration of aircraft, certification of pilots, and penalties associated with registration and certification violations. This notice also announced new procedures for processing major repair and alteration forms which pertain to fuel system modifications. Actions announced in this notice respond to the FAA Drug Enforcement Assistance Act. The requirements and adopted procedures are intended to assist law enforcement agencies in their efforts to stop drug trafficking in general aviation aircraft. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	03/12/90	55 FR 9270
NPRM Comment	05/11/90	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project No. AFS-89-035R.

ANALYSIS: Regulatory Evaluation, 03/12/90, 55 FR 9270

Agency Contact: Sharon Ashford, Registry Modernization Staff, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur Boulevard, Oklahoma City, OK 73125-4939
Phone: 405 954-7038

RIN: 2120—AD16

2494. AIRPLANE ENGINE COWLING RETENTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action would amend the airworthiness standards for transport category airplanes to require improved

DOT—FAA

Long-Term Actions

cowling retention devices. A review of a number of inflight incidents where engine cowlings were lost revealed that the largest single cause of such losses was improper latching of the cowlings. If adopted, this proposal would provide additional design standards to detect improperly latched cowlings and ensure the integrity of the latching system.

Timetable:

Action	Date	FR Cite
NPRM	09/19/89	54 FR 38610
NPRM Comment Period End	03/19/90	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-87-004R.

Agency Contact: Mike McRae, Airframe and Propulsion Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2133

RIN: 2120—AD34

2495. 1-G STALLING SPEED AS A BASIS FOR COMPLIANCE WITH PART 25 OF THE FEDERAL AVIATION REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 4321; 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704; 49 USC 44715

CFR Citation: 14 CFR 25; 14 CFR 36

Legal Deadline: None

Abstract: This action would amend the Federal Aviation Regulations to redefine the airplane reference stalling speed as the 1-g stalling speed in lieu of the minimum stalling speed. It would: (1) provide for a consistent, repeatable reference stalling speed; (2) ensure consistent and dependable maneuvering margins; (3) clarify the requirement for the use of 1-g stalling speeds in determining structural design speeds; (4) increase the head-on gust structural design requirement; and (5) provide for adjusted multiplying factors to maintain essentially equivalent requirements in areas where the use of minimum stalling speed has proven

adequate. These changes are needed since the stalling characteristics of modern jet transports as determined by current methods can result in inconsistent reference stalling speeds. These changes may result in a higher level of safety where current methods have resulted in artificially low reference stalling speeds.

Timetable:

Action	Date	FR Cite
NPRM	01/18/96	61 FR 1260
Correction	02/26/96	
NPRM Comment Period End	05/17/96	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ANM-86-041R.

ANALYSIS: Regulatory Evaluation, 01/18/96, 61 FR 1260

Agency Contact: Don Stimson, Flight Test and Systems Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 1601 Lind Avenue SW., Renton, WA 98055-4056
Phone: 425 227-1320

RIN: 2120—AD40

2496. +COST OF SERVICES AND TRANSFER OF FEES TO PART 187 FROM PARTS 47, 49, 61, 63, 65, AND 143

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40109; 49 USC 40113 to 40114; 49 USC 44101 to 44108; 49 USC 44110 to 44111; 49 USC 44701; 49 USC 44702; 49 USC 44703 to 44704; 49 USC 44707; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 45102 to 45103; 49 USC 45106; 49 USC 45301

CFR Citation: 14 CFR 47; 14 CFR 49; 14 CFR 61; 14 CFR 63; 14 CFR 65; 14 CFR 143; 14 CFR 187

Legal Deadline: None

Abstract: This action would assess reasonable charges for certain services provided by the FAA. The charges would be set at a level approximating the cost to the Government to provide these services and would be adjusted

periodically as the costs of these services change or as prescribed in the Anti-Drug Abuse Act of 1988. The cost of providing services for aircraft registration and recording and replacement of airmen certificates is not being fully recouped in accordance with the changes reflected in the Consumer Price Index of All Urban Consumers, which was published by the Bureau of Labor Statistics of the Department of Labor, or as set by the Anti-Drug Abuse Act of 1988. This rulemaking would also consolidate all service fees by placing them in part 187 of the Federal Aviation Regulations. This rulemaking is considered significant because of substantial public interest.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-90-347R.

Agency Contact: Sharon Ashford, Registry Modernization Staff, Department of Transportation, Federal Aviation Administration, 6500 South MacArthur Boulevard, Oklahoma City, OK 73125-4939
Phone: 405 954-7038

RIN: 2120—AD91

2497. TYPE CERTIFICATES FOR SOME SURPLUS AIRCRAFT OF THE ARMED FORCES

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 7572; 49 USC 106(g); 49 USC 40105; 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715; 49 USC 45303

CFR Citation: 14 CFR 21

Legal Deadline: None

Abstract: Following World War II, a substantial number of surplus military airplanes were offered for sale to the public in order to meet an increased demand for civilian-use aircraft not being met by the civil aircraft industry. The current regulation permits both type and airworthiness certification for surplus military aircraft based on the particular aircraft's safety record and condition. As military aircraft have become increasingly complex and sophisticated, that practice is no longer

DOT—FAA

Long-Term Actions

acceptable. This action would remove the regulations for issuing type certificates for these surplus aircraft and eliminate references to obsolete standards. Surplus military aircraft would still be certificated in the normal, utility, acrobatic, commuter, transport, and restricted categories upon compliance with the applicable regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/21/94	59 FR 19114
NPRM Comment Period End	06/20/94	
Comment Period End	07/07/94	59 FR 34779
08/26/94		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: Project Number: AIR-91-354R.

ANALYSIS: Regulatory Evaluation, 04/21/94, 59 FR 19114

Agency Contact: Brian Yanez, Policy and Procedures Branch, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-6561

RIN: 2120—AE41

2498. +AIRPORT NOISE COMPATIBILITY PLANNING

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 44715; 49 USC 471-1; 49 USC 47501 to 47504; 49 USC 106(g); 49 USC 40113

CFR Citation: 14 CFR 150

Legal Deadline: None

Abstract: This action would revise the requirements for developing noise exposure maps and noise compatibility programs and submitting them for FAA approval. The revisions are intended to expedite and simplify the part 150 process. Under the revised process, the

mandatory set of noise abatement measures which are presently required to be considered by each airport sponsor would be limited in scope depending on the characteristics of each airport and its surrounding community. The new process would be supported by appropriate guidance, training, review, standardization, and consultation requirements. This project is considered significant because of substantial public interest.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: None

Additional Information: Project Number: AEE-90-410R.

Agency Contact: Alan V. Trickey, Policy and Regulations Division, Office of Environment and Energy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-3496

RIN: 2120—AE64

2499. +AIRCRAFT GROUND DEICING AND ANTI-ICING PROGRAM

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121

Legal Deadline: None

Abstract: This action establishes a requirement for part 121 certificate holders to develop an FAA-approved ground deicing/anti-icing program and to comply with that program any time conditions are such that frost, ice, or snow could adhere to the aircraft's wings, control surfaces, or propellers. This action is necessary because several accidents and the recent International Conference on Airplane Ground Deicing indicate that, under present procedures, the pilot in command may be unable to effectively determine whether critical airplane components are free of all frost, ice, or snow prior to attempting a takeoff. The action

provides an added level of safety to flight operations in adverse weather conditions, and is considered significant because of its safety implications.

Timetable:

Action	Date	FR Cite
NPRM	07/23/92	57 FR 32846
NPRM Comment Period End	08/07/92	
Interim Final Rule Effective	09/29/92	57 FR 44924
Interim Final Rule Correction	11/01/92	
Interim Final Rule Comment Period End	11/09/92	57 FR 53385
04/15/93		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-92-280-R.

A proposed advisory circular providing guidance on the program elements that should be included in an air carrier's approved ground deicing and anti-icing program was published September 29, 1992, requesting comments (57 FR 44944).

Various documents of this proceeding were erroneously published under RIN 2120-AE51.

ANALYSIS: Regulatory Evaluation, 09/29/92, 57 FR 44924

Agency Contact: James Gardner, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-9579

RIN: 2120—AE70

2500. AIR TRAFFIC CONTROL RADAR BEACON SYSTEM AND MODE S TRANSPONDER REQUIREMENTS IN THE NATIONAL AIRSPACE SYSTEM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC

DOT—FAA

Long-Term Actions

44705; 49 USC 44709 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action would revise the Mode S transponder requirement for all aircraft operating under part 135 and certain aircraft operating under part 121 based on the expected availability of operational capabilities of Mode S ground sensors. For part 121 operators, the action would affect only those aircraft not required to have Traffic Alert and Collision Avoidance System II. An aviation rulemaking advisory committee has recommended that the FAA conduct a study of the installed Mode S ground sensor to determine the extent of the benefits derived and the costs involved in equipage. This action is a relieving action made necessary by the fact that ground sensors are not in place to support the requirement. Further, FAA is studying the need for Mode S transponders in part 135 and certain part 121 operations in light of the fact that transponders may not substantially increase ATC ability to view air traffic.

Timetable:

Action	Date	FR Cite
NPRM	05/23/96	61 FR 26036
NPRM Correction	06/17/96	61 FR 30551
NPRM Comment Period End	07/22/96	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-92-297R.

ANALYSIS: Regulatory Evaluation, 05/23/96, 61 FR 26036

Agency Contact: Daniel V. Meier, Jr., Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-3749

RIN: 2120—AE81

2501. CIVIL PENALTY ASSESSMENT PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 6002; 49 USC 106(g); 49 USC 5121 to 5124; 49 USC 40113 to 40114; 49 USC 44103 to 44106; 49 USC 44702 to 44703; 49 USC 44709 to 44710; 49 USC 44713; 49 USC 46101 to 46110; 49 USC 46301 to 46316; 49 USC 46501 to 46502; 49 USC 46504 to 46507; 49 USC 47106; 49 USC 47111; 49 USC 47122

CFR Citation: 14 CFR 13

Legal Deadline: None

Abstract: This action would revise the procedures for the assessment of civil penalties for violations of the Federal Aviation Regulations and other provisions. The procedures proposed would implement the requirements of the FAA Civil Penalty Administrative Assessment Act of 1992, as they modify the procedures for adjudicating a civil penalty against a person acting in the capacity of a pilot, flight engineer, mechanic, or repairman.

Timetable:

Action	Date	FR Cite
NPRM	08/05/94	59 FR 40192
NPRM Comment Period End	10/04/94	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: AGC-93-076R. This rulemaking was considered significant; however, after receiving only two comments on the NPRM issued in 8/94, and the lack of controversy regarding this rule, the FAA does not consider this a significant rulemaking.

ANALYSIS: Regulatory Evaluation, 08/05/94, 59 FR 40192

Agency Contact: Joyce Redos, Regulations Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-7158

RIN: 2120—AE84

2502. +TRAINING AND CHECKING IN GROUND ICING CONDITIONS

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44710 to 44711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44722

CFR Citation: 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This amendment requires parts 125 and 135 certificate holders to provide pilot training or testing in ground deicing/anti-icing procedures and to check the airplane for contamination by frost, ice, or snow during ground icing conditions. The proposal is intended to provide an added level of safety to flight operations in adverse weather conditions under parts 125 and 135. This rulemaking is significant because it affects a substantial portion of the aviation industry.

Timetable:

Action	Date	FR Cite
NPRM	09/21/93	58 FR 49164
NPRM Comment Period End	10/06/93	
Interim Final Rule	12/30/93	58 FR 69620
Advisory Circular Published	12/30/93	58 FR 69631
Interim Final Rule Effective	01/31/94	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: AFS-93-459R

ANALYSIS: Regulatory Evaluation, 12/30/93, 58 FR 69620

Agency Contact: James Gardner, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591 Phone: 202 267-9579

RIN: 2120—AF09

DOT—FAA

Long-Term Actions

2503. +REVISION OF EMERGENCY EVACUATION DEMONSTRATION PROCEDURES TO IMPROVE PARTICIPANT SAFETY**Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704**CFR Citation:** 14 CFR 25; 49 CFR 1.47**Legal Deadline:** None

Abstract: This action would amend part 25 of the FAR by revising Appendix J, Emergency Evacuation, to allow certain alternative procedures in conducting full-scale emergency evacuation demonstrations for transport category airplanes. This is in response to recommendations from the Aviation Rulemaking Advisory Committee. The changes, which are intended to make full-scale emergency evacuation demonstrations safer for participants and to codify existing practices, would also affect manufacturers and operators of transport category airplanes. This action is considered significant because of substantial public interest and safety implications.

Timetable:

Action	Date	FR Cite
NPRM	07/18/95	60 FR 36932
Correction	08/25/95	60 FR 44387
NPRM Comment Period End	10/16/95	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ANM-94-124A

ANALYSIS: Regulatory Evaluation, 07/18/95, 60 FR 36932

Agency Contact: Franklin Tiangsing, Regulations Branch, ANM-114, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2121

RIN: 2120-AF21**2504. +CONTROLLED REST ON THE FLIGHT DECK****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121**Legal Deadline:** None

Abstract: This proposal would allow part 121 certificate holders who operate aircraft that require three flight crewmembers, two pilots and a flight engineer, to implement a controlled rest on the flight deck program. Under the program, when cockpit workload permits, one flight crewmember at a time would be given the opportunity to sleep for a brief period of time at his or her duty station during the cruise portion of a flight. Before using the controlled rest concept, however, the certificate holder would have to obtain approval for its program from the FAA. This proposal originated as a recommendation from the Aviation Rulemaking Advisory Committee and responds to industry interest in developing a controlled rest program that is approved by the FAA. This rulemaking is considered significant because of substantial public interest.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: AFS-92-764A

Agency Contact: James Gardner, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-9579

RIN: 2120-AF54**2505. MISCELLANEOUS CABIN SAFETY CHANGES****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 46105; 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716

to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912

CFR Citation: 14 CFR 121**Legal Deadline:** None

Abstract: This action proposes to revise the airworthiness standards for transport category airplanes relating to flight attendant assist space, flight attendant assist handles, door hold open features, outside viewing means, interior compartment doors and portable oxygen equipment. With one exception, these proposals are not the result of any specific incident or recommendation, but are part of the FAA's continuing effort to upgrade the regulations to improve the overall level of safety in areas where the state-of-the-art and good design practice have indicated that such upgrades are warranted. These proposals would result in both new type design regulations as well as requirements applicable to existing designs implemented via the operating rules.

Timetable:

Action	Date	FR Cite
NPRM	07/24/96	61 FR 38552
NPRM Comment Period End	11/21/96	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: ANM-90-016R.

ANALYSIS: Regulatory Evaluation, 07/24/96, 61 FR 38552

Agency Contact: Jeff Gardlin, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2136

RIN: 2120-AF77**2506. REVISION OF HYDRAULICS SYSTEMS AIRWORTHINESS STANDARDS TO HARMONIZE WITH EUROPEAN AIRWORTHINESS STANDARDS FOR TRANSPORT CATEGORY AIRPLANES****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

DOT—FAA

Long-Term Actions

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This notice proposes to amend the airworthiness standards for transport category airplanes to harmonize hydraulic systems design and test requirements with standards proposed for the European Joint Aviation Requirements. These proposals were developed in cooperation with the Joint Aviation Authorities of Europe and the US and European aviation industries through the Aviation Rulemaking Advisory Committee (ARAC). These changes are intended to benefit the public interest by standardizing certain requirements, concepts, and procedures contained in the airworthiness standards without reducing and potentially enhancing the current level of safety.

Timetable:

Action	Date	FR Cite
NPRM	07/03/96	61 FR 35056
Correction	07/29/96	61 FR 39515
Correction	08/12/96	61 FR 41924
NPRM Comment Period End	10/01/96	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ANM-97-374A. This action is in response to an Aviation Rulemaking Advisory Committee recommendation.

ANALYSIS: Regulatory Evaluation, 07/03/96, 61 FR 35056

Agency Contact: Manhidner Wahi, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2142

RIN: 2120—AF79

2507. BIRD STRIKE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44702; 49 USC 44704

CFR Citation: 14 CFR 25

Legal Deadline: None

Abstract: This action proposes to develop or revise requirements for the

evaluation of transport category airplane structure for in-flight collision with a bird, including the size of the bird and the location of the impact on the airplane. These changes are intended to harmonize the bird strike requirements of the FAR and the Joint Aviation Requirements.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ANM-93-762A. This is an Aviation Rulemaking Advisory Committee project.

Agency Contact: Bill Perrella, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2116

RIN: 2120—AF80

2508. +SECURITY PROGRAMS OF FOREIGN AIR CARRIERS AND FOREIGN OPERATORS OF U.S. REGISTERED AIR CARRIERS ENGAGED IN COMMON CARRIAGE

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44701 to 44702; 49 USC 44712; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906

CFR Citation: 14 CFR 129

Legal Deadline: None

Abstract: As an action intended to implement the Antiterrorism and Effective Death Penalty Act of 1996 (PL 104-132, 4/14/96), the FAA is proposing to amend existing airplane operator security rules for foreign air carriers and foreign operators of U.S. registered aircraft. The proposed amendment would require the Administrator to accept a foreign air carrier's program only if the Administrator finds that the security program provides for identical security measures to those provided by U.S. air carriers serving the same airport. The proposed rule will establish the obligation to use identical security measures. The actual measures to be used will be identified through changes

to the nonpublic security program of the foreign air carriers. This rule is considered significant due to substantial public interest and concern of foreign governments.

Timetable:

Action	Date	FR Cite
NPRM	11/23/98	63 FR 64764
Notice of Public Meeting	11/23/98	63 FR 64764
Second NPRM	03/22/99	64 FR 13880
NPRM Comment Period End	03/23/99	
Second NPRM Comment Period End	05/24/99	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Project Number: ACP-96-363R.

Agency Contact: Moira Lozada, Civil Aviation Security Division, Office of Civil Aviation Security Policy, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-3373

RIN: 2120—AG13

2509. +NOISE LIMITATIONS FOR AIRCRAFT OPERATIONS IN THE VICINITY OF GRAND CANYON NATIONAL PARK

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301

CFR Citation: 14 CFR 93

Legal Deadline: None

Abstract: This rulemaking will establish noise limitations for certain aircraft operated in the vicinity of Grand Canyon National Park. This action is one part of an overall strategy to reduce further the impact of aircraft noise on the park environment and to assist the National Park Service (NPS) in achieving its statutory mandate imposed by Public Law 100-91 to provide for the substantial restoration of natural quiet and experience in Grand Canyon National Park. The supplemental amendment removes two

DOT—FAA

Long-Term Actions

sections from the December 31, 1996, notice of proposed rulemaking (NPRM) that proposed to establish a corridor through the National Canyon area as an incentive route for quiet technology aircraft. The FAA and NPS have determined not to proceed with an air tour route in the vicinity of National Canyon and are presently considering alternatives to this route. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/31/96	61 FR 69334
NPRM Comment Period End	03/31/97	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: A final rule, which was published on 12/31/96 (61 FR 69302), establishes new operating restrictions at Grand Canyon National Park. See RIN 2120-AF93 published elsewhere in this Agenda.

ANALYSIS: Regulatory Evaluation, 12/31/96, 61 FR 69334

Agency Contact: Howard Nesbitt, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 493-4981

RIN: 2120-AG34

2510. +PROHIBITION OF THE TRANSPORTATION OF DEVICES DESIGNED AS CHEMICAL GENERATORS AS CARGO IN AIRCRAFT

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716; 49 USC 44722; 49 USC 46301

CFR Citation: 14 CFR 121; 14 CFR 125; 14 CFR 135

Legal Deadline: None

Abstract: This rulemaking proposes to ban the transportation of devices designed to chemically generate oxygen in certain aircraft, with limited

exceptions. This proposed ban applies to newly manufactured chemical oxygen generators that have never been filled with chemicals. It would also apply to devices designated as chemical oxygen generators that have been discharged (spent) or that are past their expiration dates. The FAA believes that newly manufactured chemical oxygen generators might be manufactured in one location and transported to another location to be filled. This could lead to human factors errors in determining whether the device designed as a chemical oxygen generator is actually empty.

In a final rule effective March 1, 2000, the Research and Special Programs Administration (RSPA) prohibited the transportation on an aircraft of a "spent" chemical oxygen generator, i.e., a generator whose means of ignition and all or a part of its chemical contents have been expended. (See RIN 2137-AC92)

This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	08/27/98	63 FR 45912
Correction	09/24/98	63 FR 51048
NPRM Comment Period End	10/26/98	

Correction 11/10/98 63 FR 69276
Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Additional Information: Project Number: AFS-97-065R

ANALYSIS: Regulatory Evaluation, 08/27/98, 63 FR 45912

Agency Contact: Gary Davis, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AG35

2511. +REVISED STANDARDS FOR CARGO OR BAGGAGE COMPARTMENTS IN TRANSPORT CATEGORY AIRPLANES

Priority: Other Significant

Legal Authority: 49 USC 44715 to 44717; 49 USC 106(g); 49 USC 40113;

49 USC 44701 to 44702; 49 USC 44704; 49 USC 44705; 49 USC 44711 to 44713

CFR Citation: 14 CFR 25; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This action upgrades the fire safety standards for cargo or baggage compartments in certain transport category airplanes by eliminating Class D compartments altogether. Compartments that could no longer be designated as Class D would have to meet the standards for Class C or Class E compartments, as applicable. Certain other transport category airplanes that would not have to meet these new standards for type certification would have to meet them for use in air carrier, commuter, on-demand, or commercial service. These improved standards are needed to increase protection from possible in-flight fires. This rulemaking is considered significant because of the safety implications.

Timetable:

Action	Date	FR Cite
NPRM	06/13/97	62 FR 32412
NPRM Comment Period End	09/11/97	
Final Rule Request for Comments	02/17/98	63 FR 8032
Final Rule Effective	03/19/98	
Final Rule Comment Period End	06/17/98	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Project Number: ANM-97-009R

ANALYSIS: Regulatory Evaluation, 06/13/97, 62 FR 32412

Regulatory Evaluation, 02/17/98, 63 FR 8032

Agency Contact: Mahinder Wahi, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056
Phone: 425 227-2589

RIN: 2120-AG42

DOT—FAA

Long-Term Actions

2512. PILOT CERTIFICATES ISSUED OR VALIDATED ON THE BASIS OF A BILATERAL AIR SAFETY AGREEMENT**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 44701 to 44703; 49 USC 44707; 49 USC 4709 to 44711; 49 USC 45102 to 45103; 49 USC 45301 to 45302**CFR Citation:** 14 CFR 61**Legal Deadline:** None**Abstract:** This action would allow the FAA to enter into a Bilateral Air Safety Agreement with a foreign country for the conversion and validation of each others' pilot certificates at all pilot certification levels. Currently, the Federal Aviation Regulations only allow a foreign pilot certificate to be converted to an FAA private pilot certificate. This rule will have a positive impact on harmonization efforts underway between the FAA and the Joint Aviation Authorities.**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: AFS-99-228R.**Agency Contact:** Emily White, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-3651**RIN:** 2120-AG81**2513. +EMERGENCY MEDICAL EQUIPMENT****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44711; 49 USC 44713; 49 USC 44716 to 44717; 49 USC 44722; 49 USC 44901; 49 USC 44903 to 44904; 49 USC 44912; 49 USC 46105**CFR Citation:** 14 CFR 121**Legal Deadline:** None**Abstract:** This action responds to the Aviation Medical Assistance Act of 1998 (49 USC 44701) by proposing that large, passenger-carrying air carrier operators carry automatic external defibrillators and augment currently required emergency medical kits. If adopted, additional training for crewmembers on the use of this

equipment would be required. The intent of this proposal is to better equip crewmembers, and those qualified to assist them, for responding to in-flight medical events. This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	05/24/00	65 FR 33720
NPRM Comment Period End	09/21/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project No: AAM-98-234R.

ANALYSIS: Regulatory Evaluation, 12/00/2000

Agency Contact: Judi Citrenbaum, Office of Aviation Medicine, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9689**RIN:** 2120-AG89**Department of Transportation (DOT)
Federal Aviation Administration (FAA)**

Completed Actions

2514. +TYPE CERTIFICATION PROCEDURES FOR CHANGED PRODUCTS**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 7572; 49 USC 106(g); 49 USC 40101; 49 USC 40103; 49 USC 40105; 49 USC 40109; 49 USC 40113; 49 USC 44110; 49 USC 44502; 49 USC 44701 to 44702; 49 USC 44707; 49 USC 44709; 49 USC 44711; 49 USC 44713; 49 USC 44715**CFR Citation:** 14 CFR 11; 14 CFR 21; 14 CFR 25**Legal Deadline:** None**Abstract:** This action amends the procedural regulations for certification

of changes to type certificated products. The amendments affect changes accomplished through either an amended type certificate or a supplemental type certificate. The amendments are needed to address the trend toward fewer products that are of completely new design and more products with multiple changes to previously approved designs. This action will enhance safety by applying the latest airworthiness standards, to the greatest extent practicable, for the certification of significant design changes of aircraft, aircraft engines, and propellers. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	05/02/97	62 FR 24288
NPRM Comment Period End	09/02/97	

Action	Date	FR Cite
Final Rule; Request for Comments	06/07/00	65 FR 36244
Final Rule Effective	06/07/00	
Final Rule Comment Period End	08/07/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** None**Additional Information:** Project Number: AIR-99-03039R. This action is the result of an Aviation Rulemaking Advisory Committee recommendation.

ANALYSIS: Regulatory Evaluation, 05/02/97, 62 FR 24288

Regulatory Evaluation, 06/07/00, 65 FR 36244

Agency Contact: Randall Peterson, Office of Aircraft Certification Service,

DOT—FAA

Completed Actions

Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-9583

RIN: 2120—AF68

2515. +PASSENGER FACILITY CHARGES

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40116 to 40117; 49 USC 47111; 49 USC 47114 to 47116

CFR Citation: 14 CFR 158

Legal Deadline: None

Abstract: This action would have proposed to increase the amount of compensation that a carrier may earn for collecting and remitting a passenger facility charge from eight cents to ten cents. In addition, the NPRM would have proposed to clarify that monthly remittances must be received by airport public agencies collecting PFCs on the last day of each month. The NPRM also proposed to amend the regulation to reflect the statutory prohibition on collection of PFCs from passengers using frequent flyer bonus awards. The FAA has withdrawn the ANPRM because the data received was insufficient to make changes to carrier compensation. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	04/16/96	61 FR 16678
ANPRM Comment Period End	05/16/96	
Comment Period Extended	05/21/96	61 FR 25420
Comment Period End	08/16/96	
Withdrawn	04/10/00	65 FR 18932

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: None

Additional Information: Project Number: APP-94-568P.

Agency Contact: Sheryl Scarborough, Airport Financial Assistance Division, Office of Airports Planning and Programmi, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591

Phone: 202 267-8825

RIN: 2120—AF69

2516. REPAIR ASSESSMENT FOR PRESSURIZED FUSELAGES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40119; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 40711; 49 USC 44712; 49 USC 44713; 49 USC 44715; 49 USC 44716 to 44717; 49 USC 44912

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 129

Legal Deadline: None

Abstract: This rulemaking requires incorporation of repair assessment guidelines for external fuselage pressure boundary into the FAA-approved maintenance programs of each operator of certain transport category airplane models. The purpose of the repair assessment guidelines is to establish a damage-tolerance based supplemental inspection program for repairs to detect damage, which may develop in a repaired area, before that damage degrades the load carrying capability of the structure below the levels required by the applicable airworthiness standards.

Timetable:

Action	Date	FR Cite
NPRM	01/02/98	63 FR 126
NPRM Comment Period End	04/02/98	
Comment Period End	04/03/98	63 FR 16452
Final Action	04/25/00	65 FR 24108
Final Action Effective	05/25/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Project Number: ANM-97-309A. This is an Aviation Rulemaking Advisory Committee project.

ANALYSIS: Regulatory Evaluation, 01/02/98, 63 FR 126

Regulatory Evaluation, 04/25/00, 65 FR 24108

Agency Contact: Dorenda Baker, Transport Airplane Directorate, Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 1601 Lind Avenue SW, Renton, WA 98055-4056

Phone: 425 227-2109

RIN: 2120—AF81

2517. +TERRAIN AWARENESS AND WARNING SYSTEM

Priority: Other Significant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44111; 49 USC 44701; 49 USC 44709; 49 USC 44712; 49 USC 44715; 49 USC 44716 to 44718; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 135

Legal Deadline: None

Abstract: This prohibits the operation of turbine-powered U.S.-registered civil airplanes of six or more passenger seats, exclusive of pilot and copilot seating, unless that airplane is equipped with an FAA-approved enhanced ground proximity warning system (GPWS). This action is intended to further reduce the risk of controlled flight into terrain (CFIT) accidents. This rule is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	08/26/98	63 FR 45628
NPRM Comment Period End	11/24/98	
Final Action	03/29/00	65 FR 16736
Final Action Effective	03/29/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: Project Number: AIR-96-354R.

ANALYSIS: Regulatory Evaluation, 08/26/98, 63 FR 45628

Regulatory Evaluation, 03/29/00, 65 FR 16736

Agency Contact: Manny Macedo, Office of Aircraft Certification Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-9566

RIN: 2120—AG46

DOT—FAA

Completed Actions

2518. +GRAND CANYON NATIONAL PARK; LIMITS ON AIR TOUR OPERATIONS**Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502; 49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301**CFR Citation:** 14 CFR 93**Legal Deadline:** None**Abstract:** The FAA, in cooperation with the National Park Service, is limiting the number of air tour operations that can be conducted in Grand Canyon National Park. This rulemaking is consistent with the mandate of Pub. L. 100-91 to substantially restore the natural quiet in the Park. This rulemaking is significant because of substantial public interest.**Timetable:**

Action	Date	FR Cite
NPRM	07/09/99	64 FR 37304
Notice of Public Meeting	07/20/99	64 FR 38851
Correction	08/24/99	64 FR 46155
NPRM Comment Period End	09/07/99	
Final Action	04/04/00	65 FR 17708
Final Action Effective	04/04/00	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: AFS-98-376R.

ANALYSIS: Regulatory Evaluation, 07/09/99, 64 FR 37304

Regulatory Evaluation, 04/04/00, 65 FR 17708

Agency Contact: Alberta Brown, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8321**RIN:** 2120-AG73**2519. +MODIFICATION OF THE AIRSPACE FOR GRAND CANYON NATIONAL PARK****Priority:** Other Significant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40106; 49 USC 40109; 49 USC 40113; 49 USC 44502;

49 USC 44514; 49 USC 44701; 49 USC 44719; 49 USC 46301

CFR Citation: 14 CFR 93**Legal Deadline:** None**Abstract:** The FAA is modifying the airspace of the Special Flight Rules Area (SFRA), Grand Canyon National Park, to add a corridor for quiet technology aircraft and to extend the eastern boundary of the SFRA to accommodate Native American concerns. This rulemaking is considered significant because of substantial public interest.**Timetable:**

Action	Date	FR Cite
NPRM	07/09/99	64 FR 37296
Notice of Public Meeting	07/20/99	64 FR 38851
NPRM Comment Period End	09/07/99	
Final Action	04/04/00	65 FR 17736
Final Action Effective	12/01/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Project Number: ATA-98-482R.

ANALYSIS: Regulatory Evaluation, 07/09/99, 64 FR 37296

Regulatory Evaluation, 04/04/00, 65 FR 17736

Agency Contact: Joseph White, Airspace and Air Traffic Management Program, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8783**RIN:** 2120-AG74**2520. SPECIAL VISUAL FLIGHT RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40120; 49 USC 40113; 49 USC 40103; 49 USC 44101; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46502; 49 USC 46504; 49 USC 46506; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531**CFR Citation:** 14 CFR 91**Legal Deadline:** None**Abstract:** This action amends and clarifies language regarding aircraft operating in accordance with Special Visual Flight Rules. Specifically, this action will permit a pilot at a satellite airport to depart provided that the pilot determines that he has the requisite flight visibility. The FAA is taking this action to reduce the number of unnecessary flight delays being faced by general aviation aircraft while providing an equivalent level of safety.**Timetable:**

Action	Date	FR Cite
Direct Final Rule; Request for Comments	04/24/00	65 FR 16114
Comment Period End	04/24/00	
Confirmation of Effective Date	05/19/00	65 FR 31798

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Project Number: ATA-96-531A.

ANALYSIS: Regulatory Evaluation, 04/24/2000, 65 FR 16114

Agency Contact: Avis P. Person, Airspace and Rules Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8783**RIN:** 2120-AG94**2521. • PROHIBITION AGAINST CERTAIN FLIGHTS WITHIN THE TERRITORY AND AIRSPACE OF ETHIOPIA****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40129; 49 USC 44101; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715 to 44718; 49 USC 44722; 49 USC 46306; 49 USC 46502; 49 USC 46504; 49 USC 46506; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531**CFR Citation:** 14 CFR 91**Legal Deadline:** None**Abstract:** This action prohibits certain flight operations within the territory and airspace of Ethiopia north of 12 degrees north latitude by any United States air carrier or commercial

DOT—FAA

Completed Actions

operator, by any person exercising the privileges of an airman certificate issued by the FAA unless that person is engaged in the operation of a U.S.-registered aircraft for a foreign air carrier, or by an operator using an aircraft registered in the United States unless the operator of such aircraft is a foreign air carrier.

Timetable:

Action	Date	FR Cite
Final Action Effective	05/12/00	
Final Action	05/16/00	65 FR 31214

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David L. Catey, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AG98

2522. • REMOVAL OF PROHIBITION AGAINST CERTAIN FLIGHTS WITHIN THE TERRITORY AND AIRSPACE OF SERBIA-MONTENEGRO

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40103; 49 USC 40113; 49 USC 40120; 49 USC 44101; 49 USC 44701; 49 USC 44709; 49 USC 44711; 49 USC 44712; 49 USC 44715; 49 USC 44716; 49 USC 44717; 49 USC 44722; 49 USC 46306; 49 USC 46315; 49 USC 46316; 49 USC 46502; 49 USC 46504; 49 USC 46506; 49 USC 47122; 49 USC 47508; 49 USC 47528 to 47531

CFR Citation: 14 CFR 91

Legal Deadline: None

Abstract: This action removes Special Federal Regulation (SFAR) no. 84, which prohibits flight operations within the territory and airspace of Serbia-Montenegro by any United States air carrier or commercial operator, by any person exercising the privileges of an airman certificate issued by the FAA, or by an operator using an aircraft registered in the

United States unless the operator of such aircraft is a foreign air carrier. This action is taken in response to the cessation of North Atlantic Treaty Organization (NATO) air strikes against Serb forces in Serbia-Montenegro.

Timetable:

Action	Date	FR Cite
Final Action	03/24/00	65 FR 16112
Final Action Effective	03/24/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David Catey, Flight Standards Service, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591
Phone: 202 267-8166

RIN: 2120-AG99

2523. • PROHIBITION AGAINST SMOKING ON SCHEDULED FLIGHTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 40104 to 40105; 49 USC 40113; 49 USC 40119; 49 USC 44101; 49 USC 44113; 49 USC 44701 to 44702; 49 USC 44705; 49 USC 44709 to 44713; 49 USC 44715 to 44717; 49 USC 44722; 49 USC 44901 to 44904; 49 USC 44906; 49 USC 44912; 49 USC 46105

CFR Citation: 14 CFR 121; 14 CFR 129; 14 CFR 135

Legal Deadline: None

Abstract: Section 708 of P.L. 106-181 requires a ban on smoking on domestic and foreign scheduled flights. This action applies to part 121 and 135 air carriers, as well as part 129 foreign air carriers. This rule contains a provision that if a foreign government objects to the extraterritorial application of regulation, it may negotiate alternative prohibition with the Secretary of Transportation.

Timetable:

Action	Date	FR Cite
Final Action Effective	06/04/00	
Final Action	06/09/00	65 FR 36776

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Alberta A. Brown, Air Transportation Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591
Phone: 202 267-8231

RIN: 2120-AH04

2524. • PASSENGER FACILITY CHARGES

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-181

CFR Citation: 14 CFR 121; 14 CFR 125

Legal Deadline: None

Abstract: This action amends regulations pertaining to passenger facility charges (PFC's) to incorporate administrative changes in the procedures to establish PFC's. These changes are required by the "Wendell H. Ford Aviation Investment and Reform Act for the 21st Century." This action is issued as a final rule with a request for comments because the changes are administrative and required by statute. Also the immediate adoption of these changes is in the public interest and is necessary for public safety.

Timetable:

Action	Date	FR Cite
Final Action	05/30/00	65 FR 34536
Final Action Effective	06/29/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Eric Gabler, Passenger Facility Charge Branch, Department of Transportation, Federal Aviation Administration
Phone: 202 267-3845

RIN: 2120-AH05

Department of Transportation (DOT)

Federal Highway Administration (FHWA)

Prerule Stage

2525. CERTIFICATION OF SIZE AND WEIGHT ENFORCEMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 127; 23 USC 141; 23 USC 315

CFR Citation: 23 CFR 657

Legal Deadline: None

Abstract: The FHWA has resumed consideration of changes in the guidance provided to state agencies for preparing the annual size and weight enforcement certifications. Previous efforts in this area were suspended by the agency in 1994 as a result of a commitment by the Federal Highway Administrator to Congress in June 1994 to conduct a comprehensive study of all aspects of the truck size and weight issue. That study is nearly completed. Accordingly, public comment is again requested on the type of information and data that should be submitted by the states in support of their annual certification of enforcement, and how the FHWA should use the information.

Timetable:

Action	Date	FR Cite
ANPRM	12/16/93	58 FR 65830
ANPRM Comment Period Extended to 05/18/94	03/15/94	59 FR 11956
ANPRM Comment Period End	03/16/94	
Supplemental ANPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kathy Busby, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2976

Bob Davis, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2997

RIN: 2125-AC60

2526. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION: INTERMODAL CARGO CONTAINERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: This rulemaking action addresses the requirements of the Federal Motor Carrier Safety Regulations for securing intermodal cargo containers to trailers.

Timetable:

Action	Date	FR Cite
ANPRM	08/23/93	58 FR 44485
ANPRM Comment Period End	11/22/93	
To Be Withdrawn	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Larry W. Minor, Mechanical Engineer, Office of Motor Carrier Research and Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2125-AC74

2527. HIGHWAY BEAUTIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 131; 23 USC 315; 49 USC 1651

CFR Citation: 23 CFR 750

Legal Deadline: None

Abstract: The revision of these subparts will reduce their complexity,

recognize the existence of State laws, regulations, and organizations implementing 23 USC 131, and emphasize the position of the State as the initial, primary, and principal focal point regarding the requirement of effective control. Potential costs should be reduced, albeit minimally. The principal benefit will be to give the States greater ability, in the context of the broad requirements of 23 USC 131, to respond to concepts and issues relevant to the States. We have been reviewing these regulations with the intent to focus on changes necessitated by ISTEA and subsequent legislation (NHS Act, etc.)

We have initiated research projects to identify key information States need to administer their OAC programs. We will evaluate that study and incorporate the results in our proposed ANPRM.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: FHWA intends to continue review and analysis of all aspects of the HBA under RIN 2125-AD24 to propose changes to reduce the complexity of the highway beautification regulations and to emphasize the role of the State in its implementation. Intended changes which appeared in a prior Agenda under RIN 2125-AD88 related to the Dire Emergency Supplemental Appropriations Act of 1992 have been suspended and consolidated under this rulemaking.

Agency Contact: Robert A. Johnson, Chief, Program Services Division, Office of Real Estate Services, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2020

RIN: 2125-AD24

Department of Transportation (DOT)
Federal Highway Administration (FHWA)

Proposed Rule Stage

2528. TRUCK LENGTH AND WIDTH EXCLUSIVE DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 315; 49 USC 31111; 49 USC 31112; 49 USC 31113; 49 USC 31114

CFR Citation: 23 CFR 658

Legal Deadline: None

Abstract: The FHWA is requesting public comment on how, under 49 USC 31111 through 31113, the Secretary may determine which safety or efficiency-enhancing devices are to be excluded when measuring the length and width of vehicles for compliance with federally mandated dimensions.

The Surface Transportation Assistance Act of 1982 (STAA), Pub. L. 97-424, 96 Stat. 2097, gave the Secretary of Transportation the authority to determine what safety and energy conservation devices are necessary for safe and efficient operation of commercial motor vehicles (CMVs), and what could be excluded when measuring vehicle length (section 411(h))(49 U.S.C. 31111(d)), and what could be excluded when measuring width (section 416(b))(49 U.S.C. 31113(b)).

Section 411(h) also provided that no device excluded from length measurement by the Secretary could have, by design or use, the capability to carry cargo.

Timetable:

Action	Date	FR Cite
ANPRM	12/26/89	54 FR 52951
ANPRM Comment Period End	03/26/90	
ANPRM Comment Period Extended	06/01/90	
ANPRM Docket Reopened; Comment Period Extended to 08/21/90	06/22/90	55 FR 25673
NPRM	08/18/00	65 FR 50471
NPRM Comment Period End	11/16/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Tom Klimek, Transportation Specialist, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2212

RIN: 2125-AC30

2529. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; MUTCD; MINIMUM RETROREFLECTIVITY REQUIREMENTS FOR TRAFFIC SIGNS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101; 23 USC 104; 23 USC 105; 23 USC 109(d); 23 USC 114(a); 23 USC 135; 23 USC 217; 23 USC 307; 23 USC 315; 23 USC 402(a); PL 102-388

CFR Citation: 23 CFR 1.32; 49 CFR 1.48

Legal Deadline: None

Abstract: Revisions to the MUTCD are being done in phases due to the voluminous amount of text. This notice of proposed amendment is intended to revise the MUTCD to include a standard for a minimum level of retroreflectivity that must be maintained for traffic signs. This minimum level is to ensure that highway users can detect and read the sign during nighttime conditions. Although the MUTCD states that regulatory and warning signs, and some guide signs, need to reflectorize, no level of retroreflectivity is specified. In recognition of this situation, the United States Congress directed the U.S. Department of Transportation, through the 1993 Department of Transportation Appropriations Act, to revise the MUTCD to include a standard for minimum levels of retroreflectivity that must be maintained.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local, State

Agency Contact: Ernest D.L. Huckaby, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-9064

RIN: 2125-AE39

2530. +FEDERAL LANDS HIGHWAY PROGRAM; TRANSPORTATION PLANNING PROCEDURES AND MANAGEMENT SYSTEMS PERTAINING TO THE NATIONAL PARK SERVICE, INCLUDING THE PARK ROADS AND PARKWAYS PROGRAM

Priority: Other Significant

Legal Authority: 23 USC 134; 23 USC 135; 23 USC 204; 23 USC 315; PL 105-178

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The FHWA was delegated the authority to serve as the lead agency to develop transportation planning procedures pertaining to the National Park Service, the Forest Service, the Fish and Wildlife Service and the Bureau of Indian Affairs that are consistent with the metropolitan and statewide transportation planning processes. The FHWA and the appropriate Federal land management agencies are also given the authority to develop safety, bridge, pavement, and congestion management systems for roads funded under the Federal lands highways program (FLHP). The roads funded under the FLHP include park roads and parkways, forest highways, refuge roads and Indian reservation roads.

In four related ANPRMs, the FHWA will seek public comment concerning these matters. Specifically in this ANPRM, the FHWA invites comment on an approach to implementing section 1115(d) under which the FHWA's Federal lands Highway, in consultation with the National Park Service (NPS) would develop a rule to meet the transportation planning and management systems requirements pertaining to the NPS including park roads and parkways program. Each of the ANPRMs is designated as significant under E.O. 12866 and the DOT regulatory policies and procedures because of the high level of interagency interest in the notices and involved programs.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/99	64 FR 47749
NPRM	09/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

DOT—FHWA

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Paul Schneider,
Federal Lands Highway Office,
Department of Transportation, Federal
Highway Administration, 400 Seventh
Street SW., Washington, DC 20590
Phone: 202 366-6799

RIN: 2125-AE52

2531. +FEDERAL LANDS HIGHWAY PROGRAM; TRANSPORTATION PLANNING PROCEDURES AND MANAGEMENT SYSTEMS PERTAINING TO THE BUREAU OF INDIAN AFFAIRS, INCLUDING THE INDIAN RESERVATIONS ROAD PROGRAM

Priority: Other Significant

Legal Authority: 23 USC 315; PL 105-178; 23 USC 134; 23 USC 135; 23 USC 204

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The FHWA was delegated the authority to serve as the lead agency to develop transportation planning procedures pertaining to the National Park Service, the Forest Service, the Fish and Wildlife Service and the Bureau of Indian Affairs that are consistent with the metropolitan and statewide transportation planning processes. The FHWA and the appropriate Federal land management agencies are also given the authority to develop safety, bridge, pavement, and congestion management systems for roads funded under the Federal lands highways program (FLHP). The roads funded under the FLHP include park roads and parkways, forest highways, refuge roads and Indian reservation roads.

In four related ANPRMs, the FHWA will seek public comment concerning these matters. Specifically, in this ANPRM, the FHWA invites comment on an approach to implementing section 1115(d) under which the FHWA's Federal Lands Highway, in consultation with the Bureau of Indian Affairs (BIA), would develop a rule to meet the transportation planning and management system requirements pertaining to the BIA, including the Indian reservations road program. Each of the ANPRMs is designated as significant under E.O. 12866 and the DOT regulatory policies and procedures because of the high level of interagency

interest in the notices and involved programs.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/99	64 FR 47746
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Paul Schneider,
Federal Lands Highway Office,
Department of Transportation, Federal
Highway Administration, 400 Seventh
Street SW., Washington, DC 20590
Phone: 202 366-6799

RIN: 2125-AE53

2532. +FEDERAL LANDS HIGHWAY PROGRAM; TRANSPORTATION PLANNING PROCEDURES AND MANAGEMENT SYSTEMS PERTAINING TO THE FISH AND WILDLIFE SERVICE, INCLUDING THE REFUGE ROADS PROGRAM

Priority: Other Significant

Legal Authority: 23 USC 134; 23 USC 135; 23 USC 204; 23 USC 315; PL 105-178

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The FHWA was delegated the authority to serve as the lead agency to develop transportation planning procedures pertaining to the National Park Service, the Forest Service, the Fish and Wildlife Service and the Bureau of Indian Affairs that are consistent with the metropolitan and statewide transportation planning processes. The FHWA and the appropriate Federal Land Management agencies are also given the authority to develop safety, bridge, pavement, and congestion management systems for roads funded under the Federal lands highways program (FLHP). The roads funded under the FLHP include park roads and parkways, forest highways, refuge roads and Indian reservation roads.

In four related ANPRMs, the FHWA will seek public comment concerning these matters. Specifically, in this ANPRM, the FHWA invites comment on an approach to implementing section 1115(d) under which the FHWA's Federal Lands Highway, in

consultation with the Fish and Wildlife Service (FWS), would develop a rule to meet the transportation planning and management systems requirement pertaining to the FWS, including refuge roads. Each of the ANPRMs is designated as significant under E.O. 12866 and the DOT regulatory policies and procedures because of the high level of interagency interest in the notices and involved programs.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/99	64 FR 47741
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Paul Schneider,
Federal Lands Highway Office,
Department of Transportation, Federal
Highway Administration, 400 Seventh
Street SW., Washington, DC 20590
Phone: 202 366-6799

RIN: 2125-AE54

2533. +FEDERAL LANDS HIGHWAY PROGRAM; TRANSPORTATION PLANNING PROCEDURES AND MANAGEMENT SYSTEMS PERTAINING TO THE FOREST SERVICE, INCLUDING THE FOREST HIGHWAYS PROGRAM

Priority: Other Significant

Legal Authority: 23 USC 135; 23 USC 204; 23 USC 315; PL 105-178; 23 USC 134

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The FHWA was delegated the authority to serve as the lead agency to develop transportation planning procedures pertaining to the National Park Service, the Forest Service, the Fish and Wildlife Service and the Bureau of Indian Affairs that are consistent with the metropolitan and statewide transportation planning processes. The FHWA and the appropriate Federal land management agencies are given the authority to develop safety, bridge pavement, and congestion management systems for roads funded under the Federal lands highways program. The roads funded under the FLHP include park roads and parkways, forest highways, refuge roads and Indian reservation roads.

DOT—FHWA

Proposed Rule Stage

In four related ANPRMs, the FHWA will seek public comment concerning these matters. Specifically in this ANPRM, the FHWA invites comment on an approach to implementing section 1115(d) under which the FHWA's Federal Lands Highway, in consultation with the Forest Service (FS), would develop a rule to meet the transportation planning and management systems requirements pertaining to the FS, including the forest highway program. Each of the ANPRMs is designated as significant under E.O. 12866 and the DOT regulatory policies and procedures because of the high level of interagency interest in the notices and involved programs.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/99	64 FR 47744
NPRM	09/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Paul Schneider, Federal Lands Highway Office, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6799

RIN: 2125-AE55

2534. STANDARDS FOR DEDICATED SHORT RANGE COMMUNICATIONS (DSRC) APPLICATIONS FOR USE BY COMMERCIAL VEHICLES IN INTELLIGENT TRANSPORTATION SYSTEMS PROJECTS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 307; 23 USC 315; 23 USC 502 note; PL 102-240, sec. 6055(b); PL 105-178, sec. 5206(e)

CFR Citation: 23 CFR 1001; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA is proposing to amend its regulations to require the use of Dedicated Short Range Communications (DSRC) Standards for ITS commercial vehicle projects using Federal funds. DSRC Systems use microwave communications over very short distances to allow moving vehicles to communicate with fixed roadside locations. In commercial motor vehicle applications, DSRC

devices can transfer information regarding vehicle safety, performance, regulatory compliance and credentials from the vehicle to inspection stations.

The use of DSRC standards would promote interoperability among, and enable integration of ITS systems for North American commercial vehicle applications, such as electronic clearance, automated weight stations and border crossings. Interoperability would also encourage institutional integration and cooperation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William S. Jones, ITS Joint Program Office, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2128

RIN: 2125-AE63

2535. • ENGINEERING SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 315; PL 105-178; sec. 1212(a); 23 USC 302

CFR Citation: 23 CFR 1; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: In this action, the FHWA is proposing to amend the regulation for engineering services by removing a sentence that defined expenditures for the establishment, maintenance, general administration, supervision, and other overhead of the State highway department, or other instrumentality or entity referred to in the regulation, as ineligible for Federal participation.

This proposed amendment to the regulation stems from a provision in the Transportation Equity Act for the 21st Century (TEA-21) that changed statutory requirements to allow for eligibility of administrative costs for State transportation departments.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Max Inman, Office of Budget and Finance, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2853

RIN: 2125-AE73

2536. • DISCRETIONARY BRIDGE CANDIDATE RATING FACTOR

Priority: Substantive, Nonsignificant

Legal Authority: sec. 161; PL 97-424; 23 USC 109(a); 23 USC 144(g); sec. 1101(a)(3); PL 105-178; 23 USC 109(h); 23 USC 144; 23 USC 151; 23 USC 315; 23 USC 319; 33 USC 401; 33 USC 409 et seq.; 33 USC 511 et seq.; sec. 4(b); PL 97-134; PL 105-206; ...

CFR Citation: 23 CFR 650; 23 CFR 1.32; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: The FHWA proposes to revise its regulation on the discretionary bridge program rating factor in order to incorporate several administrative considerations that have proven effective in the project selection process. This proposed rule would implement 23 U.S.C. 144(g), as amended by sections 1109 and 1311 of the Transportation Equity Act for the 21st Century (TEA-21) and section 161 of the Surface Transportation Assistance Act of 1982 (STAA).

This proposed rule would do the following: (1) Require that candidate projects be ready to begin construction by the third quarter of a fiscal year in which funds are available for obligation; (2) allow leveraged funds from local, State, county or private sources to be used to reduce the total project cost for use in the rating factor formula; and (3) disallow any discretionary allocation to a State that has transferred Highway Bridge Replacement and Rehabilitation Program funds to other categories of Federal funding in the previous fiscal year.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David Densmore, Director, Office of Bridge Technology, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590
Phone: 202 366-4589

RIN: 2125–AE75

2537. • FEDERAL-AID PROJECT AGREEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 106(a); 23 USC 102(b); sec. 1304, PL 105-178; sec. 1305, PL 105-178; 23 USC 106; 23 USC 109; 23 USC 115; 23 USC 315; 23 USC 320; 23 USC 402(a)

CFR Citation: 23 CFR 630; 23 CFR 1.32; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: In this action, the FHWA proposes to combine its regulation on Federal-aid project authorization and its regulation on project agreements. Section 1305 of the Transportation Equity Act for the 21st Century (TEA-21) amended 23 U.S.C. 106(a) and combined authorization of work and execution of the project agreement for a Federal-aid project into a single action. Changes to the agreement provisions are being proposed to reflect these adjustments.

Additionally, section 1304 of the TEA-21 amended 23 U.S.C 102(b) to include a provision to allow the granting of time extensions for engineering cost reimbursement. Changes to the procedures would be added to provide this new flexibility.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jack Wasley, Federal-Aid Program Branch, Department of Transportation, Federal Highway

Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4658

RIN: 2125–AE77

2538. • REVISION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES; TRAFFIC CONTROL DEVICES ON FEDERAL-AID AND OTHER STREETS AND HIGHWAYS; STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 23 U.S.C. 101(a); 23 U.S.C. 104; 23 U.S.C. 105; 23 U.S.C. 109(d); 23 U.S.C. 114(a); 23 U.S.C. 135; 23 U.S.C. 217; 23 U.S.C. 307; 23 U.S.C. 315; 23 U.S.C. 402(a)

CFR Citation: 23 CFR 1.32; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: The MUTCD is incorporated by reference in 23 CFR part 655, subpart F and recognized as the national standard for traffic control devices on all public roads. Due to the reorganization of the FHWA and the deletion of 23 CFR 1204.4 by the National Highway Traffic Safety Administration (NHTSA), 23 CFR part 655.603 is outdated. The proposed amendments included herein will bring 23 CFR part 655 up to date.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ernest D.L. Huckaby, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9064

RIN: 2125–AE78

2539. • +DESIGN-BUILD CONTRACTING

Priority: Other Significant

Legal Authority: sec. 1307(c); PL 105-178; 23 USC 112

CFR Citation: 23 CFR 635

Legal Deadline: Final, Statutory, June 9, 2001.

Abstract: The FHWA has developed proposed regulations for implementing design-build contracting as mandated by Section 1307(c) of the Transportation Equity Act for the 21st Century (TEA-21), enacted on June 9, 1998. TEA-21 requires the Secretary of Transportation to issue regulations to allow design-build contracting for selected projects. The regulations list the criteria and procedures that will be used by FHWA in approving the use of design-build contracting by State Transportation Agencies (STAs). The regulation does not require the use of design-build contracting but rather allows it as an optional technique in addition to traditional contracting methods.

The FHWA is soliciting comments on its proposed regulation which will establish prescribed policies and procedures for utilizing the design-build contracting technique for Federal-aid highway projects.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: David Cox, Office of Program Administration, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590
Phone: 202 366-1561

Jerry Yakowenko, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 366-1562

RIN: 2125–AE79

Department of Transportation (DOT)
Federal Highway Administration (FHWA)

Final Rule Stage

2540. FEDERAL-AID HIGHWAY SYSTEMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 103(b); 23 USC 103(c); 23 USC 315

CFR Citation: 23 CFR 470

Legal Deadline: None

Abstract: This regulatory action amends 23 CFR 470 in accordance with legislation enacted in 1991, 1995, and 1998. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) rescinded the Federal-aid Primary and Secondary and Urban Systems; established an interim National Highway System (NHS); and defined Federal-aid highways. The NHS Designation Act of 1995 (NHS Act) authorized the initial National Highway System and also authorized the Secretary to approve modifications. The Transportation Equity Act for the 21st Century (TEA-21) authorized the initial NHS connectors to major intermodal terminals and recodified 23 U.S.C. 103 (Federal-aid systems). The action also consolidates in appendices all nonregulatory guidance material issued previously by the FHWA on Federal-aid highway systems.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/19/97	62 FR 33351
Interim Final Rule Effective	07/21/97	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The FHWA issued an interim final rule with an opportunity for public comment. The FHWA believes that prior notice and opportunity for comment were unnecessary within the meaning of 5 U.S.C. 553(b)(3)(B) because this rule amends existing regulations in accordance with the requirements of the ISTEA and the NHS Act and will simplify administrative procedures, minimize regulatory burdens, and provide flexibility for accomplishing required system actions. This rule

amends regulations that the states comply with as part of the Federal-aid highway program. The FHWA has worked closely with the States, and the States have operated under the basic policies covered by this regulation for many years. A number of technical revisions are required as a result of the TEA-21 recodification of 23 U.S.C. 103, including incorporation of the provisions of former 23 U.S.C. 139 (Additions to Interstate System).

Agency Contact: Jill Hochman, Director, Office of Intermodal and Statewide Programs, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-0233

RIN: 2125-AD74

2541. MITIGATION OF IMPACTS TO WETLANDS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 4321; 23 USC 109(h); 23 USC 138; 23 USC 315(i); 23 USC 133(b); EO 11990

CFR Citation: 23 CFR 777; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: The FHWA is further supplementing its June 17, 1996, notice of proposed rulemaking (NPRM), Mitigation of Impacts to Wetlands, and June 18, 1997, supplemental notice of proposed rulemaking (SNPRM) on the same subject. The recently enacted Transportation Equity Act for the 21st Century (TEA-21) (Pub. L. 105-178, 112 Stat. 107) added the term "natural habitat" to those provisions of title 23, United States Code (U.S.C.), making wetlands mitigation banking efforts eligible for National Highway System (NHS) and Surface Transportation Program (STP) funds. This second SNPRM would update the FHWA's wetlands regulation to make it consistent with the authority established in TEA-21 by including mitigation of impacts to natural habitat, as well as wetlands within the scope of the regulation, specifying that it applies to all projects funded pursuant to the provisions of title 23, U.S.C. This

SNPRM would also include a provision requiring that existing mitigation banks be used to provide mitigation for these highway impacts to wetlands and natural habitat when they are available and practicable.

Timetable:

Action	Date	FR Cite
NPRM	06/17/96	61 FR 30553
NPRM Comment Period End	08/16/96	
SNPRM	06/18/97	62 FR 33047
SNPRM Comment Period End	08/18/97	
Second SNPRM	04/07/99	64 FR 16870
SNPRM Comment Period End	06/07/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Additional authority DOT Order 5660.1A

Agency Contact: Paul Garrett, Water and Ecosystems Team, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 303 969-5772
 Email: paul.garrett@fhwa.dot.gov

RIN: 2125-AD78

2542. RAILROAD HIGHWAY PROJECTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 315; 23 USC 109(e); 23 USC 120(c); 23 USC 130

CFR Citation: 23 CFR 140; 23 CFR 646

Legal Deadline: None

Abstract: The FHWA amends its regulations on railroad highway projects. The amendments now require railroads to submit final billings within one year following completion of work, delete the requirements of a State's certification that work was completed, increase the ceiling for lump sum agreements from \$25,000 to \$100,000 and incorporate changes brought about by ISTEA. The FHWA believes these changes will conform railroad/highway

DOT—FHWA

Final Rule Stage

regulations to more recent laws or regulations, and provide State highway agencies clarification and more flexibility in implementing them.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/27/97	62 FR 45326
Comment Period End	10/27/97	
Final Action	01/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Robert Winans, Office of Highway Safety Information, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4656

RIN: 2125-AD86

2543. TRAFFIC CONTROL DEVICES, MARKINGS, SIGNALS, AND SYSTEMS FOR RAILROAD-HIGHWAY GRADE CROSSINGS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655

Legal Deadline: None

Abstract: This document adds new text for the Manual on Uniform Traffic Control Devices (MUTCD) in part III, markings; in part IV, signals; and in part VIII, traffic control systems for railroad-highway grade crossings. The purpose of these amendments is to include metric dimensions and values for the design and installation of traffic control devices and to improve the organization and discussion of the contents of the MUTCD.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	01/06/97	62 FR 691
Comment Period End	08/30/97	
NPRM Comment Period Extended	10/21/97	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Linda L. Brown, Office of Highway Safety, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2192

RIN: 2125-AE11

2544. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; DEFINITION OF COMMERCIAL MOTOR VEHICLE

Priority: Other Significant

Legal Authority: 49 USC 31132; 49 USC 31136; 49 USC 31502; PL 104-88, sec 104(f)

CFR Citation: 49 CFR 390; 49 CFR 391; 49 CFR 392; 49 CFR 393; 49 CFR 395; 49 CFR 396; 49 CFR 1.48

Legal Deadline: Final, Statutory, June 9, 1999.

Abstract: The FHWA is initiating this action to consider whether to amend the definition of commercial motor vehicle in the Federal Motor Carrier Safety Regulations to make those safety regulations applicable to vehicles designed to transport less than 18 passengers including the driver. This rulemaking is significant because of substantial public interest concerning the possible extension of the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to a larger portion of motor carrier operations.

Timetable:

Action	Date	FR Cite
ANPRM	08/05/98	63 FR 41766
ANPRM Comment Period End	10/05/98	
Interim Final Rule	09/03/99	64 FR 48510
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Section 4008 of the TEA-21 requires the FHWA to either make the FMCSRs applicable to operators of commercial motor vehicles designed or used to transport more than 8 passengers for compensation, or exempt such entities through a rulemaking proceeding within one year after the enactment of the statute. The FHWA has proposed to regulate the operation of small passenger-carrying CMVs, and has considered the extent

to which the regulations should be made applicable to such CMVS.

This action has been transferred to FMCSA RIN 2126-AA51.

Agency Contact: Larry W. Minor, Mechanical Engineer, Office of Motor Carrier Research & Standards, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2125-AE22

2545. REVISION OF MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES; GENERAL PROVISIONS AND TRAFFIC CONTROL FOR SCHOOL AREAS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655; 23 CFR 1.32; 49 CFR 1.48

Legal Deadline: None

Abstract: In this action, new text for the MUTCD, part 1, General Provisions and part 7, Traffic Control for School Areas, is proposed. The purpose of such revision is to reformat the text for clarity of intended meanings, to include metric dimensions and values for the design and installation of traffic control devices, and to improve the overall organization and discussion of the contents in the MUTCD. The proposed changes in this action are intended to expedite traffic, promote uniformity, improve safety, and incorporate technology advances in traffic control device applications.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	12/05/97	62 FR 64324
Comment Period End	09/08/98	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: None

Agency Contact: Linda Brown, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2192

RIN: 2125-AE25

DOT—FHWA

Final Rule Stage

2546. REVISION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES; PART II—SIGNS**Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 109(d); 23 USC 114 (a); 23 USC 315; 23 USC 402**CFR Citation:** 23 CFR 655; 23 CFR 1.32; 23 CFR 1.48**Legal Deadline:** None

Abstract: Revision of the MUTCD is being done in phases due to the voluminous amount of text. This amendment represents the third phase of the rewrite effort and embraces proposed changes for part II — signs. This action is intended to rewrite and reformat the text for clarity of intended meanings; to include metric dimensions and values for the design and installation of traffic control devices; to improve the overall organization and discussion; and to propose changes that will enhance the mobility of all road users, promote uniformity, improve traffic safety by reducing the potential for run-off-road incidents, and incorporate technology advances in traffic control device application.

Timetable:

Action	Date	FR Cite
NPRM	06/11/98	63 FR 31950
Comment Period End	03/11/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local

Agency Contact: Linda Brown, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2192

RIN: 2125-AE38**2547. ADMINISTRATION OF ENGINEERING AND DESIGN RELATED SERVICES CONTRACTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 112(b); 23 USC 114(a); 23 USC 302; 23 USC 315; 23 USC 402; 41 USC 253; 41 USC 259**CFR Citation:** 23 CFR 172; 49 CFR 1.48(b)**Legal Deadline:** None

Abstract: This action would amend procurement procedures on administration of engineering and design related services contracts to reflect the changes made by section 307 of Public Law 204-59, National Highway System Designation Act and section 1205 of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178, June 9, 1998.

Timetable:

Action	Date	FR Cite
NPRM	07/18/00	65 FR 44486
NPRM Comment Period End	09/18/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State

Agency Contact: Gary E. Moss, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4654

RIN: 2125-AE45**2548. REVISION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES; TOURIST ORIENTED DIRECTIONAL SIGNS, RECREATION AND CULTURAL INTEREST SIGNS, AND TRAFFIC CONTROLS FOR BICYCLE FACILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)**CFR Citation:** 23 CFR 655; 23 CFR 1.32; 49 CFR 1.48**Legal Deadline:** None

Abstract: The MUTCD is incorporated by reference in 23 CFR part 655, subpart F, approved by the Federal Highway Administrator, and recognized as the national standard for traffic control on all public roads.

This document proposes new text for the MUTCD in Chapter 2G-Tourist Oriented Directional Signs (TODS), Chapter 2H-Recreation and Cultural Interest Area Signs, and Part 9, Traffic Controls for Bicycle Facilities. The purpose of this rewrite effort is to reformat the text to clarify intended meanings, to include metric dimensions and values for the design and installation of traffic control devices, and to improve the overall organization and discussion of the contents in the

MUTCD. The proposed changes to the MUTCD are intended to expedite traffic, promote uniformity, improve safety, and incorporate technology advances in traffic control device application.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	06/24/99	64 FR 33802
Comment Period End	03/24/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** No**Government Levels Affected:** Undetermined

Agency Contact: Linda Brown, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2192

RIN: 2125-AE50**2549. REVISION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES; WARNING SIGNS AND TRAFFIC CONTROLS FOR HIGHWAY-LIGHT RAIL GRADE CROSSINGS****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)**CFR Citation:** 23 CFR 655; 23 CFR 1.32; 49 CFR 1.48**Legal Deadline:** None

Abstract: The Manual on Uniform Traffic Control Devices (MUTCD) is incorporated by reference in 23 CFR part 655, subpart F, approved by the Federal Highway Administrator, and recognized as the national standard for traffic control on all public roads. The FHWA announced its intent to rewrite and reformat the MUTCD on January 10, 1992, at 57 FR 1134. This action proposes new text for the MUTCD in Chapter 2C - Warning Signs and Part 10 - Traffic Controls for Highway-Light Rail Grade Crossings. The purpose of this rewrite effort is to reformat the text for clarity of intended meanings, to include metric dimensions in values for the design and installation of traffic control devices, and to improve the overall organization and discussion of the contents in the MUTCD. The proposed changes to the MUTCD are intended to expedite traffic, promote

DOT—FHWA

Final Rule Stage

uniformity, improve safety, and incorporate technology advances in traffic control device application.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	06/24/99	64 FR 33806
Comment Period End	03/24/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Linda Brown, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2192

RIN: 2125-AE58

2550. +STATEWIDE METROPOLITAN PLANNING

Regulatory Plan: This entry is Seq. No. 100 in Part II of this issue of the Federal Register.

RIN: 2125-AE62

2551. +NEPA AND RELATED PROCEDURES FOR TRANSPORTATION DECISIONMAKING; PROTECTION OF PUBLIC PARKS, WILDLIFE AND WATERFOWL REFUGES AND HISTORIC SITES

Regulatory Plan: This entry is Seq. No. 101 in Part II of this issue of the Federal Register.

RIN: 2125-AE64

2552. INTELLIGENT TRANSPORTATION SYSTEMS ARCHITECTURE AND STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101; 23 USC 109; 23 USC 315; 23 USC 502 note; 23 USC 508; PL 105-178; sec. 5206(e)

CFR Citation: 23 CFR 655; 23 CFR 940; 49 CFR 350

Legal Deadline: None

Abstract: In this action, the FHWA proposes to implement section 5206(e) of the Transportation Equity Act for the 21st Century (TEA-21), to develop an Intelligent Transportation Systems (ITS) regional architecture based on the

National ITS Architecture. The regional architecture would be consistent with an area's ITS integration strategy and all subsequent ITS projects would be consistent with the regional architecture. All ITS projects would be developed using the system engineering process and would use U.S. DOT adopted standards and interoperability tests.

Timetable:

Action	Date	FR Cite
NPRM	05/25/00	65 FR 33994
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Rupert, Office of Travel Management, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590
Phone: 202 366-2194

RIN: 2125-AE65

2553. REVISION OF THE MUTCD; REGULATORY SIGNS, TRAFFIC CONTROL FOR LOW VOLUME RURAL ROADS; TRAFFIC CONTROL FOR HIGHWAY-RAIL GRADE CROSSINGS

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655

Legal Deadline: None

Abstract: This document proposes new text for MUTCD in Chapter 2B—Regulatory Signs, Part 5—Traffic Control Device for Low Volume Rural Roads, and Part 8—Traffic Control for Highway-Rail Grade Crossings (update information). The purpose of this rewrite effort is to reformat the text for clarity of intended meanings, to include metric dimensions and values for the design and installation of traffic control devices, and to improve the overall organization and discussion of the contents in the MUTCD. The proposed changes included herein are intended to expedite traffic, promote uniformity, improve safety, and incorporate technology advances in traffic control device application.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	12/21/99	64 FR 71358
Comment Period End	06/30/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Linda Brown, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2192

RIN: 2125-AE66

2554. +REVISION OF COLOR SPECIFICATIONS FOR SIGNS AND PAVEMENT MARKING RETROREFLECTIVE MATERIALS

Priority: Other Significant

Legal Authority: 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655

Legal Deadline: None

Abstract: The FHWA is proposing to revise its color specifications for retroreflective sign materials. This revision would include daytime and nighttime specification for both assigned and unassigned colors found in the Manual on Uniform Traffic Control Devices (MUTCD). Color specifications for fluorescent colors and pavement marking material would also be included.

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendments	12/21/99	64 FR 71354
NPRM Comment Period End	06/23/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ernest Huckaby, Office of Highway Safety, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-9064

RIN: 2125-AE67

DOT—FHWA

Final Rule Stage

2555. UTILITIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 101; 23 USC 109; 23 USC 116; 23 USC 123; 23 USC 315; ...**CFR Citation:** 23 CFR 1.23; 23 CFR 1.27; 49 CFR 1.48(b)**Legal Deadline:** None**Abstract:** The FHWA proposes these changes to conform the utilities regulations to more recent laws, regulations, or guidance and to provide the state transportation departments clarification and more flexibility in implementing them.**Timetable:**

Action	Date	FR Cite
NPRM	02/09/00	65 FR 6344
NPRM Comment Period End	04/10/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** C. Paul Scott, Office of Program Administration, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4104**RIN:** 2125-AE68**2556. REVISION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES; GENERAL PROVISIONS, MARKINGS, AND SIGNALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)**CFR Citation:** 23 CFR 1.32; 49 CFR 1.48; 23 CFR 655**Legal Deadline:** None**Abstract:** This action proposes new text for the MUTCD in Part 1—General Provisions, Part 3—Markings, and Part 4—Signals. The proposed changes included herein are intended to expedite traffic, promote uniformity, improve safety, and incorporate technology advances in traffic control device application.**Timetable:**

Action	Date	FR Cite
Notice of Proposed Amendments	12/30/99	64 FR 73162
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Linda Brown, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2192**RIN:** 2125-AE71**2557. REVISION OF THE MUTCD—PROPOSED AMENDMENTS FOR TEMPORARY TRAFFIC CONTROL****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 109(d); 23 USC 114(a); 23 USC 315; 23 USC 402(a)**CFR Citation:** 23 CFR 655**Legal Deadline:** None**Abstract:** This action proposes new text for the Manual on Uniform Traffic Control Devices in Part 6—Temporary Traffic Control. The proposed changes included herein are intended to expedite traffic, promote uniformity, improve safety, and incorporate technology advances in traffic control device application.**Timetable:**

Action	Date	FR Cite
Notice of Proposed Amendments	12/30/99	64 FR 73605
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Charlie L. Sears, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1555**RIN:** 2125-AE72

Department of Transportation (DOT)

Long-Term Actions

Federal Highway Administration (FHWA)

2558. ADVANCED CONSTRUCTION OF FEDERAL AID PROJECTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 101(a); 23 USC 104 to 106; 23 USC 109; 23 USC 110; 23 USC 113; 23 USC 115; 23 USC 118; 23 USC 120(e); 23 USC 121(c); 23 USC 125; 23 USC 134; 23 USC 315; 23 USC 320**CFR Citation:** 23 CFR 630; 23 CFR 1.32; 49 CFR 1.48**Legal Deadline:** None**Abstract:** The FHWA is proposing to rescind the existing regulations that prescribe policies and procedures for advancing the construction of Federal-aid highway projects without obligating

Federal funds apportioned or allocated to the States. These regulations are inconsistent with title 23, United States Code, because of technical amendments to the Transportation Equity Act of the 21st Century (TEA-21), Pub. L. 105-178, and changes made by the National Highway System Designation Act of 1995 (NHS), Pub. L. 104-59. Consequently, in the interests of streamlining and providing more flexibility in the administration of advance construction, the FHWA is proposing to eliminate these regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/19/95	60 FR 36991

Action	Date	FR Cite
Comment Period End	09/18/95	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State**Agency Contact:** Max Inman, Office of Budget and Finance, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2853**RIN:** 2125-AD59

DOT—FHWA

Long-Term Actions

2559. +APPLICATION OF THE NATIONAL TRANSPORTATION COMMUNICATIONS FOR ITS PROTOCOL (NTCIP) STANDARDS IN ITS PROJECTS**Priority:** Other Significant**Legal Authority:** 23 USC 109; 23 USC 315; 23 USC 402; PL 102-240**CFR Citation:** 23 CFR 625; 23 CFR 655; 49 CFR 1.48**Legal Deadline:** None

Abstract: This action would propose amending FHWA regulations to require application of Intelligent Transportation System (ITS) Standards for ITS projects using Federal-aid highway funds. In the ISTEA of 1991, Congress directed the Department to develop and implement standards and protocols to promote widespread use of ITS. The proposed regulations would apply ITS standards to ITS systems, subsystems, devices, equipment and software to be acquired with Federal-aid highway funds, including ITS funds.

However, at this time, the FHWA is postponing this action on ITS Standards until such time as the standards are demonstrated to be viable and mature enough that the public sector risk in use of the standard is minimized.

This action is significant because it represents new and changed policy under DOT Order 2100.5.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: William S. Jones, ITS Joint Program Office, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2128

RIN: 2125-AE21**2560. WORK ZONE SAFETY****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 105; 23 USC 106; 23 USC 109; 23 USC 110; 23 USC 115; 23 USC 315; 23 USC 320; PL 102-240, sec 1051; PL 104-59, sec 358**CFR Citation:** 23 CFR 636; 23 CFR 1.32; 49 CFR 1.48; 23 CFR 630**Legal Deadline:** None

Abstract: The FHWA is proposing to amend its regulations on traffic safety and mobility in highway and street work zones. Section 1051 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) required the Secretary of Transportation (Secretary) to develop and implement a highway work zone safety program which would improve work zone safety at highway construction sites. This provision of ISTEA was implemented through non-regulatory action. A notice was published in the Federal Register on October 24, 1995 (60 FR 54562) provided an outline of the work zone safety program. The current proposed regulatory action will further enhance the work zone safety program by incorporating the use of new work zone techniques and technologies, updating current policy and regulation, and emphasizing issues affecting the safety and mobility of highway workers and highway users. This action proposes to transfer and redesignate the regulations currently found in 23 CFR part 630, subpart J, to a new part 636.

Timetable:

Action	Date	FR Cite
NPRM	02/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Charlie L. Sears, Office of Transportation Operations, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1555

RIN: 2125-AE29**2561. PROCEDURES FOR ABATEMENT OF HIGHWAY TRAFFIC NOISE AND CONSTRUCTION NOISE****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 109(h); 23 USC 109(i); 49 USC 4331; 49 USC 4332; PL 104-59**CFR Citation:** 23 CFR 772**Legal Deadline:** None

Abstract: This action proposes to amend the FHWA regulation which specifies the traffic noise prediction method to be used in traffic noise analyses. This revision would allow the use of the FHWA Traffic Noise Model, which was released on March 30, 1998.

It would update the specific references to acceptable traffic noise prediction methodology and vehicle noise emission levels. It would also remove references to specific noise prediction and measurement reports and vehicle noise emission levels that have been or will be superseded.

Work on this rulemaking has been suspended due to the extension of the phase-in period for the FHWA traffic noise model to December 31, 2002.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert Armstrong, Office of Environment and Planning, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2073

RIN: 2125-AE51**2562. INDIAN RESERVATION ROAD BRIDGE PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 120 (j) and (k); 23 USC 202; 23 USC 315; PL 105-178, sec 1115; 49 CFR 1.48**CFR Citation:** 23 CFR 661**Legal Deadline:** None

Abstract: Section 1115 of the Transportation Equity Act for the 21st Century establishes a nationwide priority program for improving deficient Indian reservation road (IRR) bridges and reserves \$13 million of IRR funds per year to replace and rehabilitate bridges that are in poor condition. The FHWA, Federal Lands Highway (FLH), and the Bureau of Indian Affairs, Division of Transportation (BIADOT), intend to implement the IRR bridge program (IRRB) to promptly address the deficient IRR bridges. Toward that end, the FLH and the BIADOT, in consultation with Indian tribal governments, have developed project selection/fund allocation procedures for uniform application of the legislation. The FHWA is announcing the project selection/fund allocation procedures for the IRRBP.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/19/99	64 FR 38565

DOT—FHWA

Long-Term Actions

Action	Date	FR Cite
Interim Final Rule Effective	07/19/99	
Next Action Undetermined		
Regulatory Flexibility Analysis Required: No		
Small Entities Affected: No		
Government Levels Affected: None		
Additional Information: The Administrative Procedure Act (APA), 5		

U.S.C. 551 et seq. allows agencies engaged in rulemaking to dispense with prior notice and opportunity for comment when the agency for good cause finds that such procedures are impracticable, unnecessary, or contrary to the public interest. The FHWA has determined that prior notice and opportunity for comment are unnecessary because comments regarding the project selection/fund allocation procedures for the IRRBP were solicited in a February 12, 1999,

Federal Register notice (64 FR 7229) along with informal meetings on this subject that were held during December 1998. We have reviewed all comments and incorporated changes to the original document where necessary.

Agency Contact: Paul Los, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590
Phone: 202 366-9480

RIN: 2125-AE57

Department of Transportation (DOT) Federal Highway Administration (FHWA)

Completed Actions

2563. EMERGENCY RELIEF PROGRAM—\$500,000 DISASTER ELIGIBILITY THRESHOLD

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101; 23 USC 120(e); 23 USC 125; 23 USC 315

CFR Citation: 23 CFR 668; 49 CFR 1.48(b)

Legal Deadline: None

Abstract: The FHWA has evaluated the need to revise the FHWA's regulation pertaining to the \$500,000 threshold established to distinguish between heavy maintenance or routine emergency repair and serious damage, which is used as one of the criteria to qualify a disaster under the FHWA emergency relief program for repair of Federal-aid highways. The FHWA published an ANPRM with the intention of generating discussion and comments on the appropriateness of the current threshold value as well as any additional options regarding establishment of a disaster eligibility threshold. An NPRM has been published, soliciting comments on a proposal to increase the threshold to \$700,000.

The comments received were considered and addressed in the final rule.

Timetable:

Action	Date	FR Cite
ANPRM	02/19/98	63 FR 8377
ANPRM Comment Period End	04/20/98	
NPRM	06/07/99	64 FR 30263
NPRM Comment Period End	08/06/99	
Final Action	05/02/00	65 FR 25441
Final Action Effective	06/01/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mohan Pillay, Office of Engineering, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4655

RIN: 2125-AE27

2564. • PAYROLL AND RELATED EXPENSES OF PUBLIC EMPLOYEES; GENERAL ADMINISTRATION AND OTHER OVERHEAD; COST ACCUMULATION CENTERS AND DISTRIBUTION METHODS

Priority: Substantive, Nonsignificant

Legal Authority: sec. 1212(a); PL 105-178; 23 USC 302; OMB Circular A-87; 23 USC 101(e); 23 USC 106; 23 USC 109(e); 23 USC 114(a); 23 USC 120(g); 23 USC 121; 23 USC 122; 23 USC 130; 23 USC 315

CFR Citation: 49 CFR 1.48(b); 23 CFR 140

Legal Deadline: None

Abstract: This action rescinds the regulation for payroll and related expenses of public employees; general administration and other overhead; and cost accumulation centers and distribution methods. This rescission stems from a provision in the Transportation Equity Act for the 21st Century (TEA-21) that allows for eligibility of administrative costs of a State department of transportation (State DOT).

The provision permits State transportation departments to request

Federal reimbursement for various indirect costs, such as administrative overhead. Previously, Federal reimbursement was only available for direct costs, such as project construction and engineering expenses. States may now claim indirect costs in accordance with the provisions of Office of Management and Budget (OMB) Circular A-87.

Timetable:

Action	Date	FR Cite
Final Action; rescission of regulation	07/26/00	65 FR 45883

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Max Inman, Office of Budget and Finance, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2853

RIN: 2125-AE74

2565. • TEMPORARY MATCHING FUND WAIVER

Priority: Substantive, Nonsignificant

Legal Authority: 23 USC 101(e); 23 USC 106; 23 USC 109(e); 23 USC 114(a); 23 USC 120(g); 23 USC 121; 23 USC 122; 23 USC 130; 23 USC 315

CFR Citation: 23 CFR 140

Legal Deadline: None

Abstract: This action rescinds the regulation that prescribes procedures for administering section 1054 of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

DOT—FHWA

Completed Actions

providing for a temporary waiver of State matching fund requirements. Since the period of this special provision has expired, and all money has been repaid, the regulation is obsolete.

Timetable:

Action	Date	FR Cite
Final Action; rescission of regulation	07/26/00	65 FR 45882

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Max Inman, Office of Budget and Finance, Department of Transportation, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2853

RIN: 2125-AE76

Department of Transportation (DOT)

Prerule Stage

Federal Motor Carrier Safety Administration (FMCSA)

2566. • +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; INTERSTATE SCHOOL BUS SAFETY

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: PL 105-178, sec 4024

CFR Citation: 49 CFR 390; 49 CFR 391; 49 CFR 392; 49 CFR 393; 49 CFR 395; ...

Legal Deadline: Other, Statutory, December 9, 1999, PL 105-178, sec 4024 requires initiation of rulemaking by 12/9/99.

Abstract: The FMCSA is considering making the FMCSRs applicable to all interstate school transportation

operations by local educational agencies. This action is in response to sec. 4024 of the Transportation Equity Act for the 21st Century (TEA-21) which mandates the FMCSA to make a determination whether to make the FMCSRs applicable to such operations. The FMCSA requests comments, data, and information to assist the agency in making this determination.

This action is considered significant because of the anticipated substantial interest by the public sector and private sector if the FMCSA expands the applicability of the FMCSRs to government operated school buses in interstate commerce.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Federalism: Undetermined

Agency Contact: Phil Hanley, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA53

Department of Transportation (DOT)

Proposed Rule Stage

Federal Motor Carrier Safety Administration (FMCSA)

2567. +QUALIFICATION OF DRIVERS; VISION

Priority: Other Significant

Legal Authority: 49 USC 2505; 49 USC 3102

CFR Citation: 49 CFR 391

Legal Deadline: None

Abstract: As part of a review of the medical qualification standards applicable to interstate CMV drivers, the FHWA requested comments on the need, if any, to amend its driver qualification requirements relating to the vision standard. A temporary waiver program was initiated and was concluded on March 31, 1996, to permit the FHWA to observe and collect data on the driving experience of a group of vision-deficient drivers who meet certain preconditions. Additionally, the FHWA, the predecessor agency to the FMCSA, considered further research to develop comprehensive performance-based

visual standards for all commercial drivers. Information about the proposed research plan and public hearing on the subject was published in the Federal Register on June 5, 1996, at 61 FR 28547. The FHWA awarded a contract with a medical center to develop medically-based recommendations for amending the current Federal vision requirements. Recommendations were delivered in October, 1998. These recommendations are being evaluated and considered in deciding what, if any, further proposals should be made concerning the vision standard. Based on the findings of the medical panel, the FMCSA anticipates publishing an NPRM to amend its regulation governing the visual field requirement in the vision standard.

New legislation (Section 4007 of the Transportation Equity Act for the 21st Century (TEA-21), Public Law 105-178) enacted effective June 9, 1998, changes the agency's authority to issue waivers

and exemptions. The procedures to implement the new authority were published in the Federal Register on December 8, 1998 (63 FR 67600). We are now considering all requests for exemptions from the vision requirements in the Federal Motor Carrier Safety Regulations.

Timetable:

Action	Date	FR Cite
ANPRM	02/28/92	57 FR 6793
ANPRM Comment Period End	04/28/92	
Notice Request for Comments	06/05/96	61 FR 28547
Interim Final Rule NPRM	12/08/98	63 FR 67600
	03/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

DOT—FMCSA

Proposed Rule Stage

Additional Information: Under RIN 2125-AD73, the FHWA adopted a final rule to allow drivers holding valid waivers from both the vision and diabetes standards to continue to operate in interstate commerce after March 31, 1996. See 61 FR 606 (Jan. 8, 1996) (notice of proposed rulemaking); 61 FR 13338 (March 26, 1996) (final rule) 61 FR 17253 (April 19, 1996) (final rule; technical correction). (See notices published at 57 FR 6793, February 28, 1992; 57 FR 10295, March 25, 1992; 57 FR 22370, June 3, 1992; 59 FR 50887, October 6, 1994; 59 FR 59386, November 17, 1994. Transferred from RIN 2125-AC62.

Agency Contact: Sandra L. Zywockarte, Health and Welfare Specialist, Department of Transportation, Federal Motor Carrier Safety Administration Phone: 202 366-2981

RIN: 2126-AA05

2568. +MINIMUM TRAINING REQUIREMENTS FOR OPERATORS AND TRAINING INSTRUCTORS OF MULTIPLE TRAILER COMBINATION VEHICLES

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: PL 102-240, sec 4007(b)(2)

CFR Citation: 49 CFR 383

Legal Deadline: Final, Statutory, December 18, 1993.

Abstract: This action proposes minimum training requirements for operators of multiple trailer combination vehicles and the instructors who train these operators. The training would include certification of an operator's proficiency by an instructor who has met the requirements established by the Secretary of Transportation. This action is significant due to public interest.

Timetable:

Action	Date	FR Cite
ANPRM	01/15/93	58 FR 4638
ANPRM Comment	03/16/93	
Period End		
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AC92.

Agency Contact: Robert Redmond, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0504

RIN: 2126-AA08

2569. +TRAINING FOR ENTRY-LEVEL DRIVERS OF COMMERCIAL MOTOR VEHICLES

Priority: Other Significant

Legal Authority: PL 102-240, sec 4007

CFR Citation: 49 CFR 383

Legal Deadline: NPRM, Statutory, December 18, 1992. Final, Statutory, December 18, 1993.

Abstract: This action is in response to section 4007 of the Motor Carrier Act of 1991 (title IV of the Intermodal Surface Transportation Efficiency Act of 1991). The Department has initiated a rulemaking on the need to require training of all entry-level drivers of commercial motor vehicles. The agency has submitted a report to Congress (02/05/96) on the effectiveness of private sector efforts to ensure adequate training of all entry-level drivers. This report included a cost-benefit study of requiring training of entry-level drivers. Public comments have been solicited on the report. This rulemaking action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	06/21/93	58 FR 33874
ANPRM Comment	08/20/93	
Period End		
Report to Congress	02/05/96	
Notice of Availability	04/25/96	61 FR 18355
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: The report is available through the National Technical Information Service (Order No. PB96-141536). For further information, please call 703 487-4650.

Transferred from RIN 2125-AD05.

Agency Contact: David Lehrman, Attorney Advisor, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590 Phone: 202 366-0994

RIN: 2126-AA09

2570. +COMMERCIAL DRIVER PHYSICAL FITNESS AS PART OF THE CDL PROCESS

Priority: Other Significant

Legal Authority: 49 USC 2704(a); 49 USC 2505; 49 USC 3102; PL 106-159, section 215

CFR Citation: 49 CFR 391; 49 CFR 383; 49 CFR 1.48; 49 CFR 391.11; 49 CFR 391.45

Legal Deadline: None

Abstract: The Federal Motor Carrier Safety Administration is proposing to include the certification of fitness to operate a CMV in the commercial driver's license (CDL) process. Incorporating the commercial driver fitness determination into State-administered CDL procedures could allow elimination of the requirement that CMV drivers carry a separate medical certificate. The CDL would be evidence that the CMV driver is physically fit as well as operationally qualified to operate CMVs safely. This action addresses the driver's physical qualifications as they relate to the CDL process; it does not address whether those standards are correct or should be changed. This action is significant due to anticipated substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	07/15/94	59 FR 36338
ANPRM Comment	11/14/94	
Period End		
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Governmental Jurisdictions, Businesses

Government Levels Affected: Undetermined

Additional Information: Please note the following notice publications with respect to the advisory committee: 04/29/96 at 61 FR 18713; 07/26/96 at 61 FR 38133; 08/26/96 at 61 FR 43725; 10/07/96 at 61 FR 52401; 11/05/96 at

DOT—FMCSA

Proposed Rule Stage

61 FR 56936; 12/17/96 at 61 FR 66250; and 02/13/97 at 62 FR 6753.

Transferred from RIN 2125-AD20.

Agency Contact: Teresa Doggett, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4001

RIN: 2126-AA10

2571. SAFETY PERFORMANCE HISTORY OF NEW DRIVERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31133; 49 USC 31136; 49 USC 31301 et seq; 49 USC 31502; PL 103-311

CFR Citation: 49 CFR 382; 49 CFR 383; 49 CFR 390; 49 CFR 391; 49 CFR 1.48

Legal Deadline: NPRM, Statutory, January 1999, See sec. 4014 of PL 105-178.

Abstract: This action proposes amending FHWA regulations to specify minimum safety information that new or prospective employers must seek from former employers during the investigation of a driver's employment record. This action also proposes to increase the period of time for which carriers must record accident information in the accident register from one to three years. This proposal was mandated by the Hazardous Materials Reauthorization Act of 1994. This rule is also impacted by TEA-21, Section 4014 and given a new statutory deadline of 1/99. Public Law 105-347 may affect this rule because it discusses the release of employment information by consumer reporting agencies currently investigating this issue.

Timetable:

Action	Date	FR Cite
NPRM	03/14/96	61 FR 10548
NPRM Comment Period End	05/13/96	
SNPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AD66.

Agency Contact: Valerie Height, Office of Policy, Plans and Regulations,

Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0901

RIN: 2126-AA17

2572. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; TELEVISION RECEIVERS AND DATA DISPLAY UNITS

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240; 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA, the predecessor agency to the FMCSA, proposed to amend the provision of the Federal Motor Carrier Safety Regulations (FMCSRs) concerning television viewers or screens in commercial motor vehicles. The agency was concerned that the current restrictions on the locations of such devices may have the unintended effect of discouraging the use of certain Intelligent Transportation System (ITS) technologies such as collision avoidance and traveler information systems which could improve the safety and efficiency of commercial vehicle operations. In response to comments to the April 3, 1993, notice of proposed rulemaking (61 FR 14733) to rescind the regulation concerning television viewers or screens, the FMCSA is considering an SNPRM to propose retaining an explicit prohibition against television viewers or screens but revising the regulation to ensure that it does not impede the development and use of ITS-related technologies.

Timetable:

Action	Date	FR Cite
NPRM	04/03/96	61 FR 14733
NPRM Comment Period End	06/03/96	
SNPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AD76.

Agency Contact: Gary R. Woodford, Office of Bus and Truck Standards, Department of Transportation, Federal Motor Carrier Safety Administration,

400 Seventh Street SW, Washington, DC 20590

Phone: 202 366-4009

RIN: 2126-AA19

2573. +MOTOR CARRIER REPLACEMENT INFORMATION/REGISTRATION SYSTEM

Priority: Other Significant

Legal Authority: 49 USC 13908

CFR Citation: 49 CFR 36

Legal Deadline: Final, Statutory, January 1, 1998.

Abstract: This action is in response to the requirements of section 103 of the Interstate Commerce Commission Termination Act of 1995, which added 49 USC 13908. This section requires the Secretary to initiate a rulemaking proceeding to replace the current DOT identification number system, single State registration system, the registration/licensing system, and the financial responsibility system, with a single, on-line Federal system. This action is considered significant due to substantial public interest. Statutory deadline was not met due to range and depth of issues involved.

Timetable:

Action	Date	FR Cite
ANPRM	08/26/96	61 FR 43816
ANPRM Comment Period End	10/25/96	
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Additional Information: This action is incorporating the issues contained in RIN 2125-AC28.

Transferred from RIN 2125-AD91.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1565

RIN: 2126-AA22

DOT—FMCSA

Proposed Rule Stage

2574. REGISTRATION OF FOR-HIRE MOTOR CARRIERS, PROPERTY BROKERS, AND FREIGHT FORWARDERS**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 553; 5 USC 559; 16 USC 1456; 49 USC 13101; 49 USC 13301; 49 USC 13901 to 13905; 49 USC 14708; 49 USC 31138; 49 USC 31144**CFR Citation:** 49 CFR 365; 49 CFR 385**Legal Deadline:** None

Abstract: This action governs registration of for-hire motor property and passenger carriers, property brokers, and freight forwarders. This action is required by 49 USC 13901 to 13905, which mandates that a registration system be administered by the Secretary of Transportation to replace the former Interstate Commerce Commission's licensing system for motor carriers, property brokers, and freight forwarders. The registration system prescribed in 49 USC 13901 to 13905 is intended to be a temporary and stand-alone procedure while the FMCSA undertakes to design and implement the revised system through the 49 USC 13908 rulemaking mandated by Congress.

Timetable:

Action	Date	FR Cite
NPRM	02/13/98	63 FR 7362
NPRM Comment Period End	04/14/98	
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Additional Information:** Transferred from RIN 2125-AE01.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1565

RIN: 2126-AA26**2575. DEVELOPMENT OF A NORTH AMERICAN STANDARD FOR PROTECTION AGAINST SHIFTING AND FALLING CARGO****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 31136; 49 USC 31502**CFR Citation:** 49 CFR 393; 49 CFR 1.48**Legal Deadline:** None

Abstract: The FMCSA is considering proposing amendments to its regulations concerning cargo securement requirements for commercial motor vehicles engaged in interstate commerce. The FMCSA intends to consider adopting new cargo securement guidelines that will be based upon the results of a multi-year comprehensive research program to evaluate current regulations and industry practices. The FMCSA is also requesting comments on the process to be used in developing these preliminary cargo securement guidelines. The FMCSA recently completed work on this research program with the Canadian Council of Motor Transport Administrators (CCMTA), State and Provincial agencies responsible for motor carrier safety activities, the Commercial Vehicle Safety Alliance (CVSA), and U.S. and Canadian industry groups.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/96	61 FR 54142
ANPRM Comment Period End	12/16/96	61 FR 54142
Notice of Meeting	04/21/97	62 FR 19252
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2125-AE05.

Agency Contact: Larry Minor, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2126-AA27**2576. MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MEXICAN MOTOR CARRIERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 31138; 49 USC 31139**CFR Citation:** 49 CFR 387; 49 CFR 1.73**Legal Deadline:** None

Abstract: The FMCSA is proposing to amend part 387, Minimum Levels of Financial Responsibility for motor carriers transporting passengers to clarify and amend the financial responsibility requirement for Mexican motor carriers who operate commercial motor vehicles in the United States.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Additional Information:** Transferred from RIN 2125-AE14.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1565

RIN: 2126-AA30**2577. SAFETY FITNESS PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 3144**CFR Citation:** 49 CFR 385**Legal Deadline:** None

Abstract: The FHWA, the predecessor agency to the FMCSA, published a final rule of RIN 2125-AC71 at 62 FR 60035 on November 6, 1997, which incorporated the safety fitness rating methodology (SFRM) into 49 CFR 385 as appendix B. In that document the FHWA identified its ultimate goal as creating a more performance-based means of determining the fitness of carriers to conduct commercial motor vehicle (CMV) operations in interstate commerce. The ANPRM requested comments on the future of a rating system that could be used both in

DOT—FMCSA

Proposed Rule Stage

making safety fitness determinations and meeting the demands of shippers, insurers and other present and potential users interested in evaluating motor carrier performance.

Timetable:

Action	Date	FR Cite
ANPRM	07/20/98	63 FR 38788
ANPRM Comment Period End	09/18/98	
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: Transferred from RIN 2125-AE37.

Agency Contact: William Hill, Office of Policy, Plans, and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6347

RIN: 2126-AA37

2578. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; ZERO-BASE REVISION

Priority: Economically Significant

Legal Authority: 49 USC 104; 49 USC 501; 49 USC 504; 49 USC 13101; 49 USC 13301; 49 USC 13902; 49 USC 31101; 49 USC 31132; 49 USC 31136; 49 USC 31301; 49 USC 31502; PL 104-88

CFR Citation: 49 CFR 301 to 399; 49 CFR 1.48

Legal Deadline: None

Abstract: The FMCSA is revising the Federal Motor Carrier Safety Regulations (FMCSRs) and related regulations. In 1992, a "Zero-Base Review" was launched to improve the organization, format and clarity of the FMCSRs and collateral regulations. This proposal represents the most recent phase of a six-year "zero-based" review of motor carrier safety regulations to establish more effective, enforceable requirements. This action is the product of that review. It proposes provisions that could affect public safety and potentially raises novel policy issues concerning federalism. The changes proposed here constitute a major rewrite of the FMCSRs, including significant format and

organizational changes, as well as a significant decrease in administration, recordkeeping, and paperwork burdens (an estimated reduction of 37 million burden hours). This action is significant under the regulatory policies and procedures of the DOT because of the substantial public interest concerning motor carrier safety issues.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: Previous rulemakings from this comprehensive effort have included removing and redesignating redundant or obsolete safety regulations (RIN 2125-AD55 and RIN 2125-AD28) and more substantive and complex revisions of the FMCSRs (RIN 2125-AD72). This action is also incorporating the issues contained in 2125-AD64.

Transferred from RIN 2125-AE42.

Agency Contact: Valerie Height, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0901

RIN: 2126-AA39

2579. BRAKE PERFORMANCE REQUIREMENTS FOR CMVS INSPECTED BY PERFORMANCE-BASED BRAKE TESTERS

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240, sec 1041(b); 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: The FMCSA is proposing to amend the Federal Motor Carrier Safety Regulations (FMSCRs) to establish pass/fail criteria for use with performance based brake testers (PBBTs), which measure the braking performance of commercial motor vehicles (CMVs). The specific types of PBBTs addressed in this action are the roller dynamometer, breakaway torque

tester, and flat-plate tester. This proposal would allow State and local enforcement officials to issue citations based on PBBT braking force measurements.

Timetable:

Action	Date	FR Cite
NPRM	08/09/00	65 FR 48660
NPRM Comment Period End	10/10/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AE69.

Agency Contact: Gary R. Woodford, Office of Bus and Truck Standards, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA46

2580. +POST-ACCIDENT CONTROLLED SUBSTANCES AND ALCOHOL TEST RESULTS; REPORTING REQUIREMENTS FOR THE FATALITY ANALYSIS REPORTING SYSTEM

Priority: Other Significant

Legal Authority: PL 74-255; PL 98-554; PL 99-570; PL 102-143; PL 106-159; 49 USC 31136; 49 USC 31301 et seq; 49 USC 31502

CFR Citation: 49 CFR 1.73; 49 CFR 382

Legal Deadline: None

Abstract: The Federal Motor Carrier Safety Administration (FMCSA) is considering amending its controlled substances and alcohol testing regulations to require employers subject to those requirements to report certain information to State-employed Fatality Analysis Reporting System (FARS) analysts concerning fatal crashes/accidents. Currently, only the FMCSA and State officials with regulatory authority over the employer or any of its drivers may obtain information concerning controlled substances and alcohol testing results and records.

This rulemaking would propose to require employers to provide information to FARS analysts, irrespective of their State authority,

DOT—FMCSA

Proposed Rule Stage

working under contract with the National Highway Traffic Safety Administration. The information employers would be required to submit to the analysts would enable the NHTSA, working in conjunction with the FMCSA, to compile and analyze data on the incidence of commercial motor vehicle (CMV) drivers who test positive for controlled substances and/or alcohol use in post-accident tests conducted after fatal crashes.

The data would also be used by the FMCSA to help assess the effectiveness of its controlled substances and alcohol testing regulations. This action is intended to improve the FMCSA's and NHTSA's CMV crash data and assess the need for new initiatives to further reduce the use of controlled substances and alcohol by CMV drivers.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations

Government Levels Affected: Local, Federal

Agency Contact: David R. Miller, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-1790

RIN: 2126-AA50

2581. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; COMMERCIAL VAN OPERATIONS THAT TRANSPORT NINE TO FIFTEEN PASSENGERS ACROSS THE U.S.-MEXICO BORDER

Priority: Other Significant

Legal Authority: 49 USC 13301; 49 USC 13902; 49 USC 31132; 49 USC 31133; 49 USC 31136; 49 USC 31502; 49 USC 31504; PL 104-88, sec 204

CFR Citation: 49 CFR 1.73; 49 CFR 390

Legal Deadline: Final, Statutory, December 9, 2000, PL 106-159, sec 212.

Abstract: The Federal Motor Carrier Safety Administration (FMCSA) is proposing to amend the Federal Motor Carrier Safety Regulations (FMCSRs) to require motor carriers operating

commercial motor vehicles (CMVs) designed or used to transport from 9 to 15 passengers (including the driver) for compensation and transporting passengers from points in Mexico to points in the United States, or vice versa, comply with the FMCSRs. This action is in response to section 212 of the Motor Carrier Safety Improvement Act of 1999.

This action is considered significant because of the substantial public interest concerning the possible extension of the applicability of the FMCSRs to a larger population of motor carrier operations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Larry Minor, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2126-AA52

2582. • SANCTIONS AGAINST MOTOR CARRIERS, BROKERS, AND FREIGHT FORWARDERS FOR FAILURE TO PAY CIVIL PENALTIES

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-159, sec 206

CFR Citation: 49 CFR 385; 49 CFR 386

Legal Deadline: Final, Statutory, December 9, 2000, See PL 106-159, sec 206.

Abstract: The FMCSA proposes to implement sec. 206 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA) by amending the penalty provisions of the rules of practice of the Federal Motor Carrier Safety Regulations. This action would prohibit a motor carrier that does not pay civil penalties assessed by the FMCSA, or that does not arrange and abide by its payment agreements, from operating in interstate commerce. Furthermore, the registration of a broker, freight forwarder, or for-hire motor carrier that fails to pay a civil penalty would be suspended.

The prohibition would begin on the 91st day after the payment date specified in the final agency order or on the 91st day after the due date of a missed payment negotiated in a payment plan. Motor carriers that continue to operate would be subject to additional penalties, including revocation of their registrations.

However, the prohibition would not apply to anyone who is unable to pay a civil penalty because the person is a debtor in a case under chapter 11 of the Bankruptcy Code.

Timetable:

Action	Date	FR Cite
NPRM	09/19/00	65 FR 56521
NPRM Comment Period End	10/19/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Deborah M. Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-4009
RIN: 2126-AA54

2583. • COMMERCIAL DRIVER'S LICENSE STANDARDS; REQUIREMENTS AND PENALTIES; NONCOMMERCIAL MOTOR VEHICLE VIOLATIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-159, sec 201(b); PL 106-159, sec 202(h)

CFR Citation: 49 CFR 383; 49 CFR 384

Legal Deadline: Final, Statutory, December 9, 2000, PL 106-159, sec 201(b).

Abstract: The FMCSA is proposing regulations specifying that drivers who hold a commercial driver's license (CDL) and are convicted of a drug or alcohol related offense or other serious offenses that result in the revocation, cancellation, or suspension of the driver's license, while operating a noncommercial motor vehicle (nonCMV), be disqualified from operating a commercial motor vehicle (CMV). This action is in response to the requirements specified in sections 201(b) and 202(h) of the Motor Carrier Safety Improvement Act (MCSIA) of

DOT—FMCSA

Proposed Rule Stage

1999. The purpose of this proposal is to enhance the safety of CMV operations on our nation's highways.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Robert Redmond, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0504

RIN: 2126-AA55

2584. • CONFORMING AMENDMENTS TO DOT DRUG AND ALCOHOL RULE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 102; 49 USC 301; 49 USC 322; 49 USC 5331; 49 USC 20140; 49 USC 31306; 49 USC 45101 to 45106

CFR Citation: 49 CFR 40; 49 CFR 382

Legal Deadline: None

Abstract: This action is a conforming amendment resulting from changes to the Procedures for Transportation Workplace Drug and Alcohol Testing Programs regulations under 49 CFR part 40. The Department of Transportation (DOT) expects to finalize revisions to its drug and alcohol testing procedures regulation to make the organization and language of the regulation clearer, to incorporate guidance and interpretations of the rule into its text, and to update the rule to include new provisions responding to changes in technology, the testing industry, and the Department's program. Each DOT modal administration must amend its implementing regulations to reflect these changes. The Federal Motor Carrier Safety Administration proposes to amend 49 CFR part 382, the drug and alcohol testing rules for the motor carrier industry, as appropriate.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Valerie Height, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0901

RIN: 2126-AA58

2585. • +NEW ENTRANT SAFETY ASSURANCE PROCESS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: PL 106-159, sec 210

CFR Citation: 49 CFR 385

Legal Deadline: NPRM, Statutory, PL 106-159, sec 210.

Abstract: This action will establish minimum requirements for new entrant motor carriers to ensure that they are knowledgeable about applicable Federal motor carrier safety standards. After ensuring that they are knowledgeable, the new entrants will operate for 18 months in which time they must pass a safety review in order to receive permanent operating authority. This rule is significant because of public and congressional interest in rules required by MCSIA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: William Hill, Office of Policy, Plans, and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-6347

RIN: 2126-AA59

2586. • +COMMERCIAL DRIVER'S LICENSE STANDARDS; REQUIREMENTS AND PENALTIES; COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENTS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: PL 106-159; sec. 103(c); PL 106-159; sec. 103(e); PL 106-159; sec. 201(C); PL 106-159; sec. 202; PL 106-159; sec. 203; PL 106-159; sec. 208; PL 106-159; sec. 214

CFR Citation: 49 CFR 350; 49 CFR 383; 49 CFR 384

Legal Deadline: NPRM, Statutory, December 9, 2000, See sec. 201 of PL 106-159.

Abstract: This action will amend various provisions of the Commercial Driver's License (CDL) program requirements to implement changes mandated by the Motor Carrier Safety Improvement Act of 1999. Specific issues to be addressed include the following:

- (1) Emergency grants to States in non-compliance with CDL requirements;
- (2) Withholding MCSAP funds from States in non-compliance with CDL requirements;
- (3) Disqualification for driving while suspended; Disqualified and causing a fatality;
- (4) Emergency disqualification of drivers posing an imminent hazard;
- (5) Expanding the definition of serious traffic violations;
- (6) Expanded driver record check;
- (7) New notification requirements;
- (8) Prohibition on hardship license to drivers who lose base license;
- (9) Penalties for violating minimum licensing requirements;
- (10) Maintaining a record of all violations;
- (11) Masking prohibition;
- (12) Decertification of State CDL programs for non-compliance;
- (13) Definition of imminent hazard;
- (14) School bus endorsement.

This rule is significant because of public and congressional interest in rules required by MCSIA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Robert Redmond, Transportation Specialist, Office of Bus

DOT—FMCSA

Proposed Rule Stage

and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0504

RIN: 2126-AA60

2587. • RULES OF PRACTICE FOR ADMINISTRATIVE PROCEEDINGS

Priority: Substantive, Nonsignificant

Legal Authority: sec.206; PL 106-159

CFR Citation: 49 CFR 386

Legal Deadline: NPRM, Statutory, December 9, 2000, See section 206 of PL 106-159.

Abstract: The FMCSA proposes to adopt procedural rules in order to conduct administrative proceedings under 49 U.S.C. 13905 and sections 205, 206, and 219 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). These sections provide for the suspension and revocation of motor carrier registrations issued under 49 U.S.C. 13902, the issuance of cessation of operation orders, and disqualifications from operation orders issued against Mexican motor carriers. On February 16, 2000, the FMCSA issued a final rule amending the Rules of Practice to include violations of commercial regulations. However, this modification to the administrative rules applied only to civil penalty proceedings.

The FMCSA believes that specific procedures should be established to provide guidance to the public and provide adequate notice and information to the respondents in other administrative proceedings. The FMCSA proposes to establish a modified procedure which would resolve most proceedings based upon written submissions. Grounds for requesting an oral hearing would be delineated and an appeal process would be established. The FMCSA will also propose the creation of specific "Administrator Orders" designed to implement the new enforcement provisions of the MCSIA. A companion NPRM amends section 206 of MCSIA by amending the penalty provisions of the rules of practice of the FMCSRs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David Lehrman, Attorney Advisor, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0994

RIN: 2126-AA63

2588. • +CERTIFICATION OF SAFETY AUDITORS

Priority: Other Significant

Legal Authority: PL 106-159

CFR Citation: 49 CFR 385

Legal Deadline: NPRM, Statutory, December 9, 2000.

Abstract: This rule would require that any safety inspection, audit, or review be conducted by a certified investigator. It would give the FMCSA authority to decertify an investigator, including a third-party investigator, for failure to meet the prescribe certification standards. It is required by section 211 of the Motor Safety Improvement Act of 1999. This rule is significant because of public and congressional interest in rules required by MCSIA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: William Carl Hill, Department of Transportation, Federal Motor Carrier Safety Administration, Room 3104, MC-PSD//M-42300, 400 7th Street, SW, Washington, DC 20590
Phone: 202 366-6347
Fax: 202 366-8842

RIN: 2126-AA64

Department of Transportation (DOT)

Final Rule Stage

Federal Motor Carrier Safety Administration (FMCSA)

2589. PHYSICAL QUALIFICATION OF DRIVERS; MEDICAL EXAMINATION; CERTIFICATE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 2505; 49 USC 3102

CFR Citation: 49 CFR 391

Legal Deadline: None

Abstract: Substantial changes in medical technology and the technology, operating practices, and economics of the motor carrier industry have affected the physical and mental demands on commercial motor vehicle (CMV) drivers and in turn, have rendered portions of the current medical examination form used to assess

drivers' physical qualifications outdated, difficult to use, or irrelevant. This action redesigns the existing medical examination form and amends the examination procedures to reflect the latest medical and technological advances.

Timetable:

Action	Date	FR Cite
NPRM	08/05/98	63 FR 41769
NPRM Comment Period End	11/03/98	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State

Additional Information: This action was formerly titled "Qualification of Drivers; Medical Examination Form."

Transferred from RIN 2125-AC63.

Agency Contact: Sandra L. Zywockarte, Health and Welfare Specialist, Department of Transportation, Federal Motor Carrier Safety Administration
Phone: 202 366-2981

RIN: 2126-AA06

DOT—FMCSA

Final Rule Stage

2590. RULES OF PRACTICE FOR MOTOR CARRIER PROCEEDINGS; INVESTIGATIONS; DISQUALIFICATIONS AND PENALTIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 104; 49 USC 307**CFR Citation:** 49 CFR 301; 49 CFR 302; 49 CFR 303; 49 CFR 304; 49 CFR 385; 49 CFR 386**Legal Deadline:** None

Abstract: The FMCSA proposes to amend its rules of practice for motor carrier safety, hazardous materials, and other enforcement proceedings, motor carrier safety ratings, driver qualification proceedings and its schedule of penalties for violations of the FMCSRs and the Hazardous Materials Regulations. The FMCSA further proposes to add provisions on investigative authority and procedures and general motor carrier responsibilities. These rules would increase the efficiency of the procedures, enhance due process and the awareness of the public and regulated community, and accommodate recent programmatic changes. The rules would apply to all motor carriers, other business entities and individuals involved in motor carrier safety and hazardous materials administrative actions on the effective date of the final rule. The rules would constitute the major part of the administrative/procedural portion of the agency's zero-base revision of the entire FMCSRs. This action is being incorporated into 2126-AA39, "Federal Motor Carrier Safety Regulations; Zero-Base Revision".

Timetable:

Action	Date	FR Cite
NPRM	04/29/96	61 FR 18866
NPRM Comment Period End	07/29/96	
SNPRM	10/21/96	61 FR 54601
SNPRM Comment Period End	11/20/96	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: A final rule published on November 6, 1997, (RIN 2125-AC71), incorporated the proposed provision designated as section 362.107 in the April 29 NPRM. This section

with minor changes was incorporated as section 385.17. A final rule regarding adjustments to civil penalties due to inflation was published under a separate rulemaking action (RIN 2105-AC63) on 3/13/98.

Transferred from RIN 2125-AD64.

Agency Contact: Valerie Height, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0901

RIN: 2126-AA15**2591. +RAILROAD-HIGHWAY GRADE CROSSING SAFETY****Priority:** Other Significant**Legal Authority:** PL 102-240; PL 103-311; 49 USC 5101; 49 USC 31136; 49 USC 31502**CFR Citation:** 49 CFR 392; 49 CFR 1.48**Legal Deadline:** Final, Statutory, February 26, 1995.

Abstract: This action prohibits operators of commercial motor vehicles from driving onto a railroad grade crossing unless there is sufficient space to drive completely through the crossing without stopping. The intent of this action is to reduce the incidence of collisions between trains and CMVs. This action is required by the Hazardous Materials Transportation Authorization Act of 1994 (PL 103-311; sec. 112). This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	07/30/98	63 FR 40691
NPRM Comment Period End	11/27/98	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2125-AD75.

Agency Contact: David Lehrman, Attorney Advisor, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0994

RIN: 2126-AA18**2592. +QUALIFICATIONS OF MOTOR CARRIERS TO SELF-INSURE THEIR OPERATIONS AND FEES TO SUPPORT THE APPROVAL AND COMPLIANCE PROCESS****Priority:** Other Significant**Legal Authority:** 49 USC 31138; 49 USC 31139; 49 USC 13906**CFR Citation:** 49 CFR 1043; 49 CFR 387; 49 CFR 1.48**Legal Deadline:** None

Abstract: This action proposes to amend the regulations governing qualifications for motor carriers that seek authorization to self-insure their transportation operations. Also, the FMCSA is proposing technical amendments necessitated by the ICC Termination Act of 1995 (Pub. L. 104-88), which transferred the ICC's authority to qualify motor carriers as self-insurers to DOT. The agency is also requesting comments regarding the need for additional backup collateral or security to protect the public against uncompensated losses. The FMCSA believes that this will be a significant regulatory action because of substantial congressional and public interest in the insurance requirements for motor carriers.

Timetable:

Action	Date	FR Cite
ANPRM	09/23/97	62 FR 49654
Correction	09/29/97	62 FR 50892
ANPRM Comment Period End	11/24/97	
NPRM	05/05/99	64 FR 24123
NPRM Comment Period End	07/06/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2125-AE06.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1565
RIN: 2126-AA28

DOT—FMCSA

Final Rule Stage

2593. TRANSPORTATION OF HOUSEHOLD GOODS; CONSUMER PROTECTION REGULATIONS (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 74-255; 49 USC 13301; 49 USC 14104; PL 104-88; PL 106-59; 49 USC 13101; 49 USC 13501 et seq.; 49 USC 14104; 49 USC 14708; 49 USC 14901 et seq.; 49 USC 14912; 49 USC 13301 et seq.**CFR Citation:** 49 CFR 375; 49 CFR 377; 49 CFR 1.73**Legal Deadline:** None

Abstract: The FMCSA proposed to amend the regulations governing the transportation of household goods. These regulations protect individual consumers who ship certain household goods by commercial motor vehicle. This action is necessary to implement the ICC Termination Act of 1995, (ICCTA), and to update the regulations. The intended effect of this proposal is to make the regulations easier to read and understand, remove an outdated report, address hostage freight problems (situations where non-binding estimates are lower than actual charges and the carrier refuses to deliver freight even after 110 percent of the estimate is paid at the time of delivery), modify a consumer protection publication, consider industry requests to change the rules, and propose conforming and technical amendments.

Timetable:

Action	Date	FR Cite
NPRM	05/15/98	63 FR 27126
NPRM Comment Period End	07/14/98	
NPRM Extension and Reopening of Comment Period	08/12/98	63 FR 43128
NPRM Comment Period End	10/13/98	
Final Action	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2125-AE30.

Agency Contact: David R. Miller, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration,

400 Seventh Street SW., Washington, DC

Phone: 202 366-1790

RIN: 2126-AA32**2594. FEDERAL MOTOR CARRIER SAFETY REGULATIONS; WAIVERS, EXEMPTIONS, AND PILOT PROGRAMS; RULES AND PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 31315; PL 105-178, sec 4007**CFR Citation:** 49 CFR 381**Legal Deadline:** Final, Statutory, December 9, 1998.

Abstract: The FMCSA is adopting regulations to implement section 4007 of the Transportation Equity Act for the 21st Century (TEA-21), concerning waivers and exemptions from the Federal Motor Carrier Safety Regulations (FMCSRs), and the Administration of pilot programs to evaluate innovative alternatives to the regulations. The regulations establish the procedures persons must follow to request waivers and to apply for exemptions from the FMCSRs, and the procedures the FMCSA will use to process the requests for waivers and applications for exemptions. The regulations also codify statutory requirements concerning the agency's administration of pilot programs. This rulemaking is intended to provide procedures to ensure the timely processing of requests for waivers and applications for exemptions, and public disclosure of the procedures the agency would use in initiating and managing pilot programs. The FHWA, the predecessor agency to the FMCSA has issued an interim final rule, with an opportunity for public comment after publication in order to meet the statutory deadline for issuance of a final rule (180 days after date of enactment of TEA-21).

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/08/98	63 FR 67600
Interim Final Rule Effective	12/08/98	
Interim Final Rule Comment Period End	02/08/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Additional Information:** Transferred from RIN 2125-AE48.

Agency Contact: Larry Minor, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2126-AA41**2595. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; REQUIREMENTS FOR OPERATORS OF SMALL PASSENGER CARRYING COMMERCIAL MOTOR VEHICLES****Priority:** Other Significant**Legal Authority:** PL 105-178**CFR Citation:** 49 CFR 390**Legal Deadline:** None

Abstract: In this action, the FMCSA is proposing to amend the Federal Motor Carrier Safety Regulations (FMCSRs) to require that motor carriers operating commercial motor vehicles (CMVs) designed or used to transport between 9 and 15 passengers (including the driver) for compensation, file a motor carrier identification report, mark their CMVs with a USDOT identification number and certain other information, and maintain an accident register. This action is in response to the Transportation Equity Act for the 21st Century (TEA-21). In a separate action, the FMCSA is adopting the statutory definition of a CMV found at 49 USC 31132 to be consistent with sec. 4008(a) of TEA-21, but is exempting the operation of these small, passenger-carrying vehicles from all of the FMCSRs, pending the completion of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	09/03/99	64 FR 48518
NPRM Comment Period End	11/02/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2125-AE60.

DOT—FMCSA

Final Rule Stage

Agency Contact: Larry Minor, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2126-AA44

2596. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; DEFINITION OF COMMERCIAL MOTOR VEHICLE

Priority: Other Significant

Legal Authority: 49 USC 31132; 49 USC 31136; 49 USC 31502; PL 104-88, sec 104(f)

CFR Citation: 49 CFR 390; 49 CFR 391; 49 CFR 392; 49 CFR 393; 49 CFR 395; 49 CFR 396; 49 CFR 1.48

Legal Deadline: Final, Statutory, June 1999, See sec. 4008 of PL 105-178.

Abstract: The FMCSA is considering amending the definition of commercial motor vehicle in the Federal Motor Carrier Safety Regulations to make those safety regulations applicable to vehicles designed to transport less than 18 passengers including the driver. This rulemaking is significant because of substantial public interest concerning the possible extension of the applicability of the Federal Motor Carrier Safety Regulations to a larger portion of motor carrier operations.

Timetable:

Action	Date	FR Cite
ANPRM	08/05/98	63 FR 41766
ANPRM Comment Period End	10/05/98	
Interim Final Rule	09/03/99	64 FR 48510
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Section 4008 of the TEA-21 requires the FMCSA to either make the FMCSRs applicable to operators of commercial motor vehicles designed or used to transport more than 8 passengers for compensation, or exempt such entities through a rulemaking proceeding within one year after the enactment of the statute. The FMCSA has proposed to regulate the operation of small passenger-carrying CMVs, and has considered the extent to which the regulations should be made applicable to such CMVs.

Agency Contact: Larry Minor, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2126-AA51

2597. • TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE; RULES OF PRACTICE FOR MOTOR CARRIER SAFETY AND HAZARDOUS MATERIALS PROCEEDINGS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 553; 49 USC 13301; 49 USC 14104; 49 USC 113

CFR Citation: 49 CFR 375; 49 CFR 386; 49 CFR 1.73; 49 CFR 1.45

Legal Deadline: None

Abstract: This action amends the FMCSA's regulations to comply with sections 208 and 209 of the Motor Carrier Safety Improvement Act of 1999. Section 208 strengthens enforcement by revising the definition of imminent hazard to cover conditions which "substantially increase the likelihood of serious injury or death" if not discontinued immediately.

Section 209 concerning household goods clarifies that property moving from a factory or a store, other than property that the householder has purchased with the intent to use in his or her dwelling, and is transported at the householder's request and the transportation charges are paid to the carrier by the householder, is excluded from the definition of household goods.

The effect of these amendments is to update and conform to statutory changes the definitions for "imminent hazard" and "household goods" in the FMCSA's regulations.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William Hill, Office of Policy, Plans, and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-6347

RIN: 2126-AA56

2598. • MOTOR CARRIER IDENTIFICATION REPORT

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-159; sec. 217

CFR Citation: 49 CFR 385

Legal Deadline: Final, Statutory, December 9, 2000, PL 106-159, sec 217.

Abstract: The Federal Motor Carrier Safety Administration is amending the Federal Motor Carrier Safety Regulations (FMCSRs) to revise the requirements for filing the Motor Carrier Identification Report (MCS-150). This action is in response to the Motor Carrier Safety Improvement Act of 1999 (MCSIA). Section 217 of MCSIA requires the FMCSA to require periodic updating, not more frequently than once every 2 years, of the motor carrier identification report filed by each motor carrier conducting operations in interstate or foreign commerce. Motor carriers are presently required to file this report prior to commencing operations. As a result of this action, the FMCSA will also require motor carriers to file an update of the report every 24 months.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Deborah M. Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC

Phone: 202 366-4009

RIN: 2126-AA57

2599. • PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; GENERAL AMENDMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 102-240, sec 1041(b); 49 USC 31136; 49 USC 31502

DOT—FMCSA

Final Rule Stage

CFR Citation: 49 CFR 392; 49 CFR 393**Legal Deadline:** None

Abstract: The FMCSA is amending part 393 of the Federal Motor Carrier Safety Regulations (FMCSRs), Parts and Accessories Necessary for Safe Operation. The amendments are intended to remove obsolete and redundant regulations; respond to several petitions for rulemaking; provide improved definitions of vehicle types, systems, and components; resolve inconsistencies between part 393 and the National Highway Traffic Safety Administration's Federal Motor Vehicle Safety Standards (49 CFR 571); and codify certain FHWA regulatory guidance concerning the requirements of part 393. Generally, the amendments do not involve the establishment of new or more stringent requirements but a clarification of existing requirements. This action is consistent with the President's Regulatory Reinvention Initiative and furthers the FMCSA's ongoing Zero-Base Regulatory Review in that it proposes to make many sections more concise, easier to understand and more performance oriented.

Timetable:

Action	Date	FR Cite
NPRM	04/14/97	62 FR 18170
NPRM Comment Period Extended	06/12/97	
NPRM Comment Period End	06/13/97	

Action	Date	FR Cite
Comment Period End	07/28/97	
Public Meeting	02/20/98	63 FR 8606
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Additional Information:** Transferred from RIN 2125-AD76.

Agency Contact: Larry Minor, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2126-AA61

2600. • FEDERAL MOTOR CARRIER SAFETY REGULATIONS; MISCELLANEOUS TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant**Legal Authority:** 49 USC 113

CFR Citation: 49 CFR 301; 49 CFR 325; 49 CFR 356; 49 CFR 360; 49 CFR 365; 49 CFR 366; 49 CFR 367; 49 CFR 368; 49 CFR 370; 49 CFR 371; 49 CFR 372; 49 CFR 374; 49 CFR 375; 49 CFR 376; 49 CFR 377; 49 CFR 379; 49 CFR 381; 49 CFR 382; 49 CFR 383; 49 CFR 384; 49 CFR 387; 49 CFR 388; 49 CFR 389; 49 CFR 390; 49 CFR 391; 49 CFR 392;

49 CFR 393; 49 CFR 395; 49 CFR 397; 49 CFR 398

Legal Deadline: None

Abstract: This action makes technical amendments throughout 49 CFR chapter III to those rules containing incorrect references to agency and office organizations. Additionally, outdated citations to statutory and regulatory authority are amended. Typographical errors are corrected and extraneous wording is eliminated. These technical amendments are necessary because of the formation of the FMCSA and they will reflect current organizational structure, processes and requirements. The amendments will not make any substantive changes in the wording or organization of the rules affected.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Janet Nunn, Office of Policy, Plans, and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2797

RIN: 2126-AA62

Department of Transportation (DOT)

Long-Term Actions

Federal Motor Carrier Safety Administration (FMCSA)

2601. +QUALIFICATION OF DRIVERS; DIABETES

Priority: Other Significant**Legal Authority:** 49 USC 3102; 49 USC 2505; 23 USC 315**CFR Citation:** 49 CFR 391.41(b)(3)**Legal Deadline:** None

Abstract: The Federal Motor Carrier Safety Administration (FMCSA) is considering revising the driver qualification requirements to allow certain insulin-using diabetics to operate commercial motor vehicles in interstate commerce. The FHWA, the predecessor agency to the FMCSA, issued a final disposition accepting waiver applications under certain conditions. The deadline for submitting

applications was April 30, 1994. The waiver program ended March 31, 1996. It was instituted to permit the FMCSA to observe and collect data on the driving experience of a group of insulin-using drivers. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	11/25/87	52 FR 45204
ANPRM Comment Period End	12/28/87	52 FR 45204
ANPRM Comment Period Extended	02/01/88	
NPRM	10/05/90	55 FR 41028
NPRM Comment Period Extended to	11/01/90	55 FR 46080
	01/03/91	

Action	Date	FR Cite
NPRM Comment Period End	12/04/90	
Notice of Intent to Issue Waivers: Comment Request	10/21/92	57 FR 48011
Final Action To Accept Waivers	07/29/93	58 FR 40690
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Under RIN 2125-AD73, the FHWA adopted a final rule to allow drivers holding valid waivers from both the vision and diabetes standards to continue to

DOT—FMCSA

Long-Term Actions

operate in interstate commerce after March 31, 1996. See 61 FR 606 (Jan. 8, 1996) (notice of proposed rulemaking); 61 FR 13338 (March 26, 1996) (final rule); 61 FR 17253 (April 19, 1996) (final rule; technical correction). With the closing of the diabetes waiver study (03-31-96), no definitive empirical results were produced. Therefore, the FHWA initiated a retrospective case-referent study to assess the level of risk associated with the operation of commercial motor vehicles by insulin-using diabetic drivers. This is not a waiver study. Further rulemaking on diabetes is deferred until the completion of the retrospective case-referent study, expert panel review and the TEA-21 feasibility study (02-29-00).

Section 4019 of the Transportation Equity Act for the 21st Century (TEA-21), directs the FHWA to determine if it is practical and cost effective to have a program that allows insulin-treated diabetic drivers to operate CMVs in interstate commerce.

The FHWA established a panel of medical experts to develop medically-based recommendations for amending the current Federal diabetes standard and for establishing, if appropriate, a screening protocol for qualifying insulin-treated diabetic commercial drivers.

We expect the report on the feasibility to permit individuals with insulin-treated diabetes to operate commercial vehicles in interstate commerce to be sent to Congress in the very near future. In that case, our next anticipated actions would be to evaluate alternatives for implementing the report findings and publish a notice on our decision and request comments.

ANALYSIS: Regulatory Evaluation, 10/05/90, 55 FR 41028

Transferred from RIN 2125-AB91.

Agency Contact: Sandra L. Zywockarte, Health and Welfare Specialist, Department of Transportation, Federal Motor Carrier Safety Administration
Phone: 202 366-2981

RIN: 2126-AA00

2602. +COMMERCIAL DRIVER'S LICENSE STANDARDS; BIOMETRIC IDENTIFIER

Priority: Other Significant

Legal Authority: PL 100-690, sec 9105

CFR Citation: 49 CFR 383

Legal Deadline: Final, Statutory, December 31, 1990.

Abstract: This action was initiated to improve identification systems for truck and bus drivers as identified by the Congress in the Truck and Bus Regulatory Reform Act of 1988. Alternatives that were considered included retinal eye scans and advanced fingerprint technologies. After (1) further review, (2) a careful analysis of public comments submitted to the ANPRM, and (3) a review of demonstration project results, the FHW, the predecessor agency to the FMCSA, determined that current technology has not progressed to the point where an identification system could be established nationwide in a cost-effective manner and still provide the benefits for which a system was intended. Therefore, the FHWA has published an informational notice to summarize the results of the pilot study and the comments to the ANPRM to demonstrate how the technologies studied fall short of the demands in a commercial licensing environment. Additional studies are being conducted to assess the current state of the art of technology in biometric identification systems. The public docket will remain open while this research is being conducted. This project is considered significant because of substantial public interest.

The State of California undertook a demonstration pilot to determine if fingerprinting is a viable identifier for CDL purposes. This pilot will be ongoing for 2 years.

This action is being suspended pending completion of this research study for technical feasibility.

Timetable:

Action	Date	FR Cite
ANPRM	05/15/89	54 FR 20875
ANPRM Comment Period End	07/14/89	
Information Notice	03/08/91	56 FR 9925
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State

Additional Information: Transferred from RIN 2125-AC24.

Agency Contact: Robert Redmond, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0504

RIN: 2126-AA01

2603. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL; PERIODIC REGISTRATION REQUIREMENTS FOR MOTOR CARRIERS

Priority: Other Significant

Legal Authority: 49 USC 31502; 49 USC 31103; 49 USC 31136

CFR Citation: 49 CFR 390

Legal Deadline: None

Abstract: In this rulemaking, the FHWA, the predecessor agency to the FMCSA, was considering a requirement for all motor carriers subject to the Federal Motor Carrier Safety Regulations (FMCSRs) to periodically update certain carrier information maintained by the agency in a national interstate motor carrier census file. Consideration was being given to the frequency and methods for updating this information.

The ICC Termination Act of 1995, which added 49 U.S.C. 13908, requires the Secretary to initiate a rulemaking to replace the current DOT identification number system, the single State registration system, the registration/licensing system and the financial responsibility system, with a single, on-line Federal system. This new rulemaking (2125-AD91/2126-AA22) will address some of the issues contained in this action (2125-AC28).

Timetable:

Action	Date	FR Cite
ANPRM	07/17/89	54 FR 29912
ANPRM Comment Period End	09/15/89	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Please note that this action (2125-AC28) was previously titled "Federal Motor Carrier Safety Regulations; General; Motor Vehicle Marking." A new RIN has been

DOT—FMCSA

Long-Term Actions

assigned for this subject. See 2125-AD49 for further information about motor vehicle marking 1992 Agenda.

ANALYSIS: Regulatory Evaluation
Transferred from RIN 2125-AC28.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1565

RIN: 2126-AA02

2604. COMMERCIAL LEARNER PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; PL 99-570; 49 USC 3102

CFR Citation: 49 CFR 384; 49 CFR 383; 49 CFR 386; 49 CFR 395; 49 CFR 1.48

Legal Deadline: None

Abstract: The FHWA, the predecessor agency to the Federal Motor Carrier Safety Administration (FMCSA), reviewed learner permit practices of the states for processing a driver from the initial non-CDL driver to being a fully licensed CDL driver. A number of variations in state learner permit practices were found. The FHWA planned to establish more uniform practices, such as: 1) screening drivers before permitting them to initially drive a CMV without having obtained a full CDL; 2) the length of time a state allows the driver to hold a learner's permit; 3) procedures for drivers to obtain CDL training in a state other than their normal residency; 4) supervision requirements for learner permit drivers; 5) commercial driver license information systems (CDLIS) recordkeeping requirements. However, the next action in this project is now undetermined as the FMCSA evaluates it in connection with several requirements of the Motor Carrier Safety Improvement Act of 1999.

Timetable:

Action	Date	FR Cite
NPRM	08/22/90	55 FR 34478
NPRM Comment Period End	10/22/90	
NPRM Comment Period Extended to 11/30/90	10/23/90	55 FR 42741
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

Additional Information: Because other regulatory changes have been made since the NPRM was published in 1990, the FMCSA intends to issue a supplemental NPRM to solicit comments on including additional requirements consistent with changes in the CDL program.

ANALYSIS: Regulatory Evaluation, 08/22/90, 55 FR 34478

Transferred from RIN 2125-AC54.

Agency Contact: David Goettee, Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4001

RIN: 2126-AA03

2605. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL TRANSPORTATION OF HAZARDOUS MATERIALS

Priority: Other Significant

Legal Authority: 49 USC 5105; 49 USC 5109

CFR Citation: 49 CFR 390.3; 49 CFR 397; 49 CFR 1.48

Legal Deadline: Final, Statutory, November 15, 1991.

Abstract: This rulemaking will implement the statutory requirements of 49 USC 5109 and 49 USC 5105. Section 5109 addresses the establishment of motor carrier safety permit regulations for motor carriers transporting Class A or B explosives, liquefied natural gases, hazardous materials designated as extremely toxic by inhalation, or highway route controlled quantity radioactive materials. Section 5105 requires inspection of vehicles transporting those radioactive materials before each trip. The proposed rule will incorporate those provisions into the safety permit regulations. This action is considered significant because of substantial public and congressional interest and safety implications.

Timetable:

Action	Date	FR Cite
NPRM	06/17/93	58 FR 33418

Action	Date	FR Cite
NPRM Comment Period End	08/16/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AC78.

Agency Contact: Larry Minor, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4012

RIN: 2126-AA07

2606. PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; SLEEPER BERTHS ON MOTOR COACHES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 393; 49 CFR 1.48

Legal Deadline: None

Abstract: Comments have been sought on the suitability of existing driver sleeper berth regulations for motor coaches and possible amendment to account for design differences between trucks and motor coaches.

Timetable:

Action	Date	FR Cite
ANPRM	01/12/94	59 FR 1706
ANPRM Comment Period End	03/14/94	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AD25.

Agency Contact: Phil Hanley, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4009

RIN: 2126-AA12

DOT—FMCSA

Long-Term Actions

2607. +ADVANCED TECHNOLOGY IN COMMERCIAL MOTOR VEHICLE OPERATIONS (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)**Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 31136; 49 USC 31502; PL 74-255; PL 84-939; PL 98-554; ...**CFR Citation:** 49 CFR 395; 49 CFR 1.73**Legal Deadline:** None**Abstract:** Current Federal Motor Carrier Safety Regulations limit the hours of service of commercial motor vehicle (CMV) drivers in order to reduce fatigue-related accidents. These regulations include substantial recordkeeping requirements to monitor drivers' hours of service. The FHWA, the predecessor agency to the FMCSA, conducted a 5 U.S.C. section 610 review of the ways to reduce the recordkeeping burden while maintaining or improving safety. This rulemaking is significant because of the broad industry impacts.

As a result of the section 610 review, the FMCSA has decided to add the rulemaking action to RIN 2126-AA23 and issue an NPRM under that RIN that includes advanced technological recordkeeping systems to improve compliance and safety.

Timetable:

Action	Date	FR Cite
Notice - Request for Information	09/07/95	60 FR 46682
Comment Period End	11/06/95	
NPRM Under RIN 2126-AA23	05/02/00	65 FR 25540
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State, Local**Federalism:** This action may have federalism implications as defined in EO 13132.**Additional Information:** Transferred from RIN 2125-AD65.**Agency Contact:** David R. Miller, Transportation Specialist, Office of Bus

and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC

Phone: 202 366-1790

RIN: 2126-AA16

2608. +HOURS OF SERVICE OF DRIVERS; DRIVER REST AND SLEEP FOR SAFE OPERATIONS (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)**Priority:** Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** 49 USC 31136; 49 USC 31502; PL 84-939; PL 98-554; PL 103-311; PL 104-59; PL 74-255; PL 106-159; PL 104-88; PL 106-159**CFR Citation:** 49 CFR 1.73; 49 CFR 395**Legal Deadline:** NPRM, Statutory, November 5, 1997, PL 104-88, sec. 408(b). Final, Statutory, November 5, 1999, PL 104-88, sec. 408(b). Other, Statutory, March 1, 1996, ANPRM. PL 104-88, sec. 408(a).**Abstract:** This action would revise the regulations for commercial motor vehicle driver rest requirements and duty period limitations for safe highway transportation. A broad rulemaking is required by the ICC Termination Act of 1995 (ICCTA). Other congressional actions prior to the ICCTA require modifications to the current rules.

This rulemaking responds to public and congressional interest in regulating commercial motor vehicle driver rest requirements, the NTSB's safety recommendations, petitions for rulemaking, and scientific data. There is substantial public and congressional interest in the regulation of medium- and heavy-duty truck and bus drivers' sleep, off-duty, and working periods of time. The FMCSA has proposed new rules based upon comments and scientific data submitted to the advance notice of proposed rulemaking docket. The proposal includes an initial regulatory flexibility analysis, a cost-benefit analysis, an unfunded mandates analysis, and a paperwork reduction analysis. This action is considered significant because of substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
ANPRM	11/05/96	61 FR 57251
Notice of Meeting	02/11/97	62 FR 6161
ANPRM Comment Period End	03/31/97	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Federal**Federalism:** This action may have federalism implications as defined in EO 13132.**Additional Information:** Transferred from RIN 2125-AD93.

During the agency's broad section 610 review of the 65-year history of the rule and all its amendments and revisions, the agency identified that RINs 2125-AD52, 2125-AD81, 2126-AA16, and 2126-AA29 also contain pertinent actions that must be incorporated into this action. Therefore, the agency incorporated them and has published a combined proposal addressing the entire topic of hours-of-service of drivers and related recordkeeping issues.

The DOT Docket Management System now identifies this rulemaking as number FMCSA-1997-2350.

More Information on "ALTERNATIVES":

The FMCSA is proposing a revision to the hours-of-service regulations to require motor carriers to provide their drivers with better opportunities to obtain sleep than the current rules, and thereby reduce the risk of drivers operating CMVs while fatigued and reduce the number of crashes involving these drivers. We estimate that 755 fatalities and 19,705 injuries occur each year on the Nation's roads because of drowsy, tired or fatigued CMV drivers.

The proposed rules would make three major changes. First, and most importantly, the new rules would be science-based (related to sleep cycles) and put all drivers in a 24-hour daily cycle. Second, they would reduce the total number of hours behind the wheel in a given 24-hour cycle to no more than 12 hours. Under current rules, a driver can reach the 60-hour on-duty limit in less than 4 days, and the 70-

DOT—FMCSA

Long-Term Actions

hour limit in less than 5 days. Third, long-haul and regional drivers (who spend one or more off-duty periods away from their normal work reporting locations) would be required, eventually, to use electronic on-board recording devices (EOBRs). These proposed changes would abandon a one-size-fits-all approach to work-rest cycles and adopt different rest periods for different types of operations.

The NPRM is a proposal. The FMCSA has extensively solicited public comments at 8 public hearings. Continuing the public dialogue is critical to a complete understanding of the issues and insuring that FMCSA can make reasoned and appropriate decisions about the next steps in the rulemaking process.

Agency Contact: David R. Miller, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC

Phone: 202 366-1790

RIN: 2126-AA23

2609. ELECTRONIC FILING OF SURETY BONDS, TRUST FUND AGREEMENTS, INSURANCE CERTIFICATES; CANCELLATIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-88

CFR Citation: 49 CFR 387

Legal Deadline: None

Abstract: This action proposes requiring all filings of surety bonds, trust fund agreements, insurance certificates and cancellations of these instruments to be accomplished electronically. Optional electronic filing has proven economical and efficient for both the FMCSA and for electronic filers. Given this success, cost of processing paper filings can no longer be justified. Mandatory electronic filings should not impose any significant costs or burdens on either the FMCSA or the filers.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AD94.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1565

RIN: 2126-AA24

2610. GENERAL JURISDICTION OVER FREIGHT FORWARDER SERVICE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 13701; 49 USC 13709; 49 USC 13906; 49 USC 14101; 49 USC 14706

CFR Citation: 49 CFR 373

Legal Deadline: None

Abstract: This action gives notice of the FMCSA's general jurisdiction over all segments of the freight forwarding industry (not just household good freight forwarders), in accordance with the ICC Termination Act of 1995, proposes changes to existing regulations to comport with those mandated by Congress, and clarifies the FMCSA's jurisdiction over freight forwarders in other areas.

Timetable:

Action	Date	FR Cite
NPRM	01/28/97	62 FR 4096
NPRM Comment Period End	03/31/97	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AE00.

Agency Contact: Michael Falk, Office of the Chief Counsel, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0834

RIN: 2126-AA25

2611. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; HOURS-OF-SERVICE AND CDL EXEMPTIONS

Priority: Other Significant

Legal Authority: PL 104-59, sec 345

CFR Citation: 49 CFR 382; 49 CFR 395

Legal Deadline: None

Abstract: As a result of the section 610 review under RIN 2126-AA23

conducted by the FHWA, the FMCSA's predecessor agency, the FMCSA has decided to add this rulemaking action to RIN 2126-AA23 and issue an NPRM under that RIN that includes clarifications of its rule incorporating certain exemptions from the hours-of-service requirements of the Federal Motor Carrier Safety Regulations, created by section 345 of the National Highway System Designation Act of 1995.

The final rule that incorporated the exemptions created by section 345 of the NHS Act was issued under RIN 2125-AD83, 4/3/96 (61 FR 14677).

This action is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM Under 2126-AA23	05/02/00	65 FR 25540

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: Transferred from RIN 2125-AE09.

Agency Contact: David R. Miller, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC

Phone: 202 366-1790

RIN: 2126-AA29

2612. +ENGLISH LANGUAGE REQUIREMENT; QUALIFICATIONS OF DRIVERS

Priority: Other Significant

Legal Authority: 49 USC 504; 49 USC 31133; 49 USC 31136; 49 USC 31502

CFR Citation: 49 CFR 391; 49 CFR 1.48

Legal Deadline: None

Abstract: The current regulation is little changed from the original rule adopted in 1936. The American Civil Liberties Union (ACLU) has written to the Department asserting that the regulation, as written, is overly broad and subject to arbitrary enforcement, causing potential interference with constitutional guarantees of due process

DOT—FMCSA

Long-Term Actions

and equal protection. The ACLU requested an opportunity to submit a comprehensive analysis of this issue. The ANPRM was intended to provide the ACLU with such an opportunity and to open this issue for public comment. The FMCSA seeks to modify its current regulation to require drivers to possess the basic functional communication/comprehension ability necessary to ensure safety, consistent with applicable law. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	08/26/97	62 FR 45200
ANPRM Comment Period End	10/27/97	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: Transferred from RIN 2125-AE19.

Agency Contact: Janet Nunn, Office of Policy, Plans, and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2797

RIN: 2126-AA31

2613. +REVISION OF APPLICATION FORM FOR MEXICAN MOTOR CARRIERS: COMMERCIAL ZONES

Priority: Other Significant

Legal Authority: 49 USC 13907

CFR Citation: 49 CFR 368

Legal Deadline: None

Abstract: This action proposes collection of some new information and also proposes revisions to the registration application form filed by one of the two classes of Mexican motor carriers that operate in the U.S. This class of carriers operates in the U.S.-Mexico border commercial zones which existed prior to NAFTA. This action is intended to increase the information available concerning these Mexican property carriers' safety profiles. This action is significant because of substantial public interest.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AE31.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1565

RIN: 2126-AA33

2614. +REVISION OF APPLICATION FORM FOR MEXICAN MOTOR CARRIERS: NAFTA

Priority: Other Significant

Legal Authority: 5 USC 553; 5 USC 559; 16 USC 1456; 49 USC 13101; 49 USC 13301; 49 USC 13901 et seq; 49 USC 31138; 49 USC 31144

CFR Citation: 49 CFR 365; 49 CFR 1.48

Legal Deadline: None

Abstract: This action proposes collection of some new information and also proposes revisions to the registration application form filed by one of the two classes of Mexican carriers that operate in the U.S. This class of carriers has operations that go beyond the established border commercial zones. This proposed unified application form would be used by both Mexican property and passenger carriers who provide services pursuant to provisions of NAFTA. This action is intended to increase the information available concerning these Mexican carriers' safety profiles. This action is significant because of substantial public interest.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AE32.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1565

RIN: 2126-AA34

2615. +ACCELERATED SAFETY MONITORING SYSTEM AND COMPLIANCE INITIATIVE FOR MEXICAN MOTOR CARRIERS OPERATING IN THE UNITED STATES

Priority: Other Significant

Legal Authority: 49 USC 104; 49 USC 504; 49 USC 521(b)(5)(A); 49 USC 5113; 49 USC 31136; 49 USC 31144; 49 USC 31502

CFR Citation: 49 CFR 385

Legal Deadline: None

Abstract: This action would implement an accelerated safety fitness screen as part of the Motor Carrier Management Information System (MCMIS). A new screening program is being targeted to collect more information on Mexican carriers. The data will be collected and stored using the existing systems and information gathering structures that are used for domestic carriers. The data collected will be used to oversee operations of both classes of Mexican motor carriers, those operating in the U.S.-Mexico border commercial zones and those operating in the U.S. pursuant to the various entry provisions of NAFTA. This action is significant due to anticipated public interest and safety-related issues.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AE33.

Agency Contact: Stanley M. Braverman, Attorney, Office of Policy, Plans and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1565

RIN: 2126-AA35

2616. OUT-OF-SERVICE CRITERIA

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 49 USC 31133; 49 USC 31136; 49 USC 31310; 49 USC 31502; PL 104-59

CFR Citation: 49 CFR 395; 49 CFR 396; 49 CFR 1.48

DOT—FMCSA

Long-Term Actions

Legal Deadline: None

Abstract: This action seeks public comment on the “North American Uniform Out-of-Service Criteria” (OOS Criteria). During roadside inspections, Federal, State, and local safety inspectors use the OOS Criteria as a guide in determining whether to place commercial motor vehicles (CMVs), or their drivers, “out of service.” Such a status means that the CMVs or drivers are so unsafe that corrections must be undertaken before operations can resume. The FHWA is seeking public comment on the future scope and effect of the OOS Criteria, which are not part of the Federal Motor Carrier Safety Regulations (FMCSRs). In addition, the FMCSA is seeking information regarding whether it needs to formalize these guidelines pursuant to a notice and comment rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	07/20/98	63 FR 38791
ANPRM Comment Period End	09/18/98	
Extension of Comment Period	10/09/98	63 FR 54432
Comment Period End	12/08/98	
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

Additional Information: Transferred from RIN 2125-AE35.

Agency Contact: Gary Golas, Office of Bus and Truck Standards, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4009

RIN: 2126-AA36**2617. +GENERAL REQUIREMENTS; INSPECTION, REPAIR, AND MAINTENANCE; INTERMODAL CONTAINER CHASSIS AND TRAILERS****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 49 USC 504; 49 USC 31133; 49 USC 31136; 49 USC 31502**CFR Citation:** 49 CFR 1.48; 49 CFR 390; 49 CFR 396**Legal Deadline:** None

Abstract: In response to a petition for rulemaking filed by the American Trucking Association, Inc. (ATA) and the ATA Intermodal Conference (the petitioners), the FHWA, the predecessor agency to the FMCSA, agreed to consider revisions to the requirements in parts 390 and 396 of the Federal Motor Carrier Safety regulations

(FMCSRs) that place upon motor carriers the responsibility for maintaining intermodal container chassis and trailers. These regulations provide the requirements for the inspection, repair and maintenance of commercial motor vehicles. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	02/17/99	64 FR 7849
ANPRM Comment Period End	04/19/99	
Comment Period End	05/05/99	
Comment Period Extended	08/30/99	
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

Additional Information: Transferred from RIN 2125-AE40.

Agency Contact: Janet Nunn, Office of Policy, Plans, and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2797

RIN: 2126-AA38

Department of Transportation (DOT)

Federal Motor Carrier Safety Administration (FMCSA)

Completed Actions

2618. +FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL; MOTOR VEHICLE MARKING**Priority:** Other Significant**Legal Authority:** 49 USC 104; 49 USC 504; 49 USC 521(b)(5)(A); 49 USC 31502; 49 USC 5113; 49 USC 31136; 49 USC 31144; 49 USC 5113**CFR Citation:** 49 CFR 390**Legal Deadline:** None

Abstract: The Federal Motor Carrier Safety Administration is proposing to revise its regulations dealing with the identification and marking of commercial motor vehicles (CMVs). Five changes are being proposed which would: (1) Apply the marking requirements to all CMVs operated in interstate commerce, including those common and contract motor carriers of

property or passengers formerly authorized by the Interstate Commerce Commission (ICC); (2) require motor carriers to mark both sides of each CMV with a specific legal name or name under which it does business (DBA name); (3) require all new motor carriers to file Form MCS-150 before beginning operations; and (4) move sec. 385.23 to a new section in part 390. The States would also be allowed and encouraged to use USDOT identification numbers to identify intrastate motor carriers. These changes will improve the identification of motor carriers and CMVs, aid enforcement, and enhance data collection and analysis.

Timetable:

Action	Date	FR Cite
NPRM	06/16/98	63 FR 32801

Action	Date	FR Cite
NPRM Comment Period End	08/17/98	
Final Action	06/02/00	65 FR 35287

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None**Additional Information:** Transferred from RIN 2125-AD49.

Agency Contact: Deborah M. Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC

Phone: 202 366-4009

RIN: 2126-AA14

DOT—FMCSA

Completed Actions

2619. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM (MCSAP)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 31136; 49 USC 31140 to 31141; 49 USC 31161; 49 USC 31310 to 31311; 49 USC 31502; 49 USC 31100 to 31104; 49 USC 31108

CFR Citation: 49 CFR 350; 49 CFR 1.48

Legal Deadline: Final, Statutory, October 1, 1999.

Abstract: This action amended the Motor Carrier Safety Assistance Program (MCSAP) as required by the Transportation Equity Act for the 21st Century (TEA-21). The changes will incorporate those applicable provisions. The MCSAP provides grants to the States to enforce the Federal Motor Carrier Safety and Hazardous Materials Regulations or compatible State regulations.

The revisions will include requirement for all participating States to develop performance-based programs. This will allow States to have greater flexibility to design programs addressing national, regional, and State needs in reducing the number and severity of commercial motor vehicle crashes, and provides incentive awards to those States achieving fatal accident reductions.

Timetable:

Action	Date	FR Cite
NPRM	03/09/99	64 FR 11414
NPRM Comment Period End	05/10/99	
Final Action	03/21/00	65 FR 15092
Final Action Effective	04/20/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Additional Information: Transferred from RIN 2125-AE46.

Agency Contact: James McCauley, State Programs Division, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0133

RIN: 2126-AA40

2620. +SAFETY FITNESS PROCEDURES—UNSATISFACTORY SAFETY RATINGS

Priority: Other Significant

Legal Authority: 49 USC 104; 49 USC 504; 49 USC 521 (b)(5)(A); 49 USC 31136; 49 USC 31144; 49 USC 31502

CFR Citation: 49 CFR 385; 49 CFR 1.48

Legal Deadline: None

Abstract: This action would expand the prohibition against interstate operations by carriers with “unsatisfactory” safety ratings. The existing “unsatisfactory” safety rating prohibition, applicable to motor carriers of passengers and hazardous materials, would be extended to all motor carriers. This action would implement section 4009 of the Transportation Equity Act for the 21st Century which prohibits motor carriers found to be unfit according to a safety fitness determination from operating commercial motor vehicles in interstate commerce. This action is considered a significant regulatory action because of the substantial public interest in the provision of safe interstate motor freight and passenger transportation.

Timetable:

Action	Date	FR Cite
NPRM	08/16/99	64 FR 44460
NPRM Comment Period End	09/15/99	
Final Action	08/22/00	65 FR 50919

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 2125-AE56.

Agency Contact: Deborah M. Freund, Senior Transportation Specialist, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC
Phone: 202 366-4009

RIN: 2126-AA42

2621. SAFETY FITNESS PROCEDURES; AMENDMENTS TO SAFETY FITNESS RATING METHODOLOGY (SFRM) APPENDIX

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 104; 49 USC 504; 49 USC 521(b)(5)(A); 49 USC 5113;

49 USC 31136; 49 USC 31144; 49 USC 31502

CFR Citation: 49 CFR 385; 49 CFR 1.48

Legal Deadline: None

Abstract: This action amends the Safety Fitness Rating Methodology (SFRM) appendix to the safety fitness procedures by updating the list of acute and critical regulations to conform to several regulatory removals and substantive amendments. As a result of earlier rulemaking, several of the citations in the list must be changed to reflect the amendments and revisions to the Federal Motor Carrier Safety Regulations (FMCSRs). The SFRM is used to measure the safety fitness of motor carriers against the safety fitness standard contained in the regulations on safety fitness procedures.

Timetable:

Action	Date	FR Cite
Final Action	03/07/00	65 FR 11904

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: This final action makes corrections to the List of Acute and Critical Regulations under section VII of appendix B to part 385 in the November 6, 1997, final rule concerning safety fitness procedures. Since the amendments to the final rule are simply corrections, the FHWA finds good cause pursuant to 5 U.S.C. 553(b)(3)(B) to promulgate this final rule without notice and comment rulemaking and to make it effective on the date of publication in the Federal Register pursuant to 5 U.S.C. 553(d)(3).

Transferred from RIN 2125-AE59.

Agency Contact: William Hill, Office of Policy, Plans, and Regulations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-6347

RIN: 2126-AA43

2622. FEDERAL MOTOR CARRIER SAFETY REGULATIONS; TECHNICAL AMENDMENT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 504; 49 USC 31133; 49 USC 31136; 49 USC 31502

DOT—FMCSA

Completed Actions

CFR Citation: 49 CFR Part 391; 49 CFR 1.48

Legal Deadline: None

Abstract: This action makes technical amendments to the Federal Motor Carrier Safety Regulations to update the rules concerning qualifications of drivers who have loss or impairment of limbs by changing the designated official who authorizes and signs the skill performance evaluation (SPE) certificate for such drivers and to remove the reference to "waiver." These amendments are necessitated by an agency organizational restructuring and by changes in the statute. Also, the name of the national program

"Handicapped Driver Waiver Program," as it is now known, will be changed to the "SPE Certification Program for Loss or Impairment of Limbs."

Timetable:

Action	Date	FR Cite
Final Action	05/01/00	65 FR 25285
Final Action Effective	05/01/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: This action merely reflects a change in the name of "The Handicapped Driver Waiver Program," a change in the title of the

designated official authorized to sign the SPE certificate and the merging of the SPE certificate form into current regulations. As a result, the FHWA has determined that prior notice and opportunity for public comment on this action are unnecessary.

Transferred from RIN 2125-AE61.

Agency Contact: Teresa Doggett, Transportation Specialist, Office of Bus and Truck Standards and Operations, Department of Transportation, Federal Motor Carrier Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4001

RIN: 2126-AA45

Department of Transportation (DOT)

Prerule Stage

National Highway Traffic Safety Administration (NHTSA)

2623. REVIEW: PASSENGER-CAR BACK SEAT OCCUPANT PROTECTION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: This notice announces the publication of a Technical Report concerning the back seat lap/shoulder belt requirement. The report's title is the "Effectiveness of Lap/Shoulder Belts in the Back Outboard Seating Positions." The primary objective of this report is to evaluate the effectiveness of lap/shoulder belts for back seat outboard occupants and whether they are more effective than lap belts for these occupants. Other objectives are to determine whether lap belts are effective, whether lap belts are harmful to back seat belt users in specific crash modes, and whether lap/shoulder belts correct the problems found with lap belts. The regulation was selected for review because of public interest.

Timetable:

Action	Date	FR Cite
Begin Review	07/01/93	
Technical Report	07/22/99	64 FR 39554
End Review	10/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: The evaluation report indicates that lap/shoulder belts reduce the fatality risk of back seat occupants by 44 percent relative to an unrestrained occupant and by 15 percent relative to an occupant wearing the lap belt only.

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2560

Fax: 202 366-2559

Email: ckahane@nhtsa.dot.gov

RIN: 2127-AE95

2624. REVIEW: HEAVY TRUCK CONSPICUITY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108

Legal Deadline: None

Abstract: The agency is initiating a study to evaluate the safety effects of the conspicuity systems requirement (section 5.7) of Federal Motor Vehicle Safety Standard No. 108. To carry out the study, the agency is having special motor vehicle crash data collected by the Florida Highway Patrol and the Pennsylvania State Police.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/95	
Collection of Information	07/01/96	61 FR 33891
Comment Period End	08/30/96	
End Review	09/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG19

2625. CONVEX CROSS-VIEW MIRRORS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.111

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is requesting comments on the issue of rear mounted cross view mirrors on light and medium duty trucks for the purpose of eliminating the blind spot directly

DOT—NHTSA

Prerule Stage

behind the vehicle. The petitioner requested that these mirrors be mandated to eliminate backing accidents where children could be seriously injured or killed. Petition was granted.

Timetable:

Action	Date	FR Cite
Request for Comments	06/17/96	61 FR 30586
Comment Period End	10/15/96	
ANPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5280
Fax: 202 366-4329

RIN: 2127-AG41**2626. SPECIAL PURPOSE VEHICLES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.224**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering whether to amend the standard for new trailers and semitrailers with a Gross Vehicle Weight Rating (GVWR) of 4,536 kilograms (10,000 pounds) or more be equipped with a rear impact guard by revising the definition of "special purpose vehicles." These are vehicles with rear mounted liftgates that operate by swinging through the area or reside in any part of the area that is designated for the horizontal member of the rear impact guard.

Timetable:

Action	Date	FR Cite
Response to Petition	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and

Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4919

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RIN: 2127-AH75**2627. BRAKE HOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.106**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering whether to adopt portions of the brake component Federal safety provisions that are now in the Federal Highway Administration regulations into the agency's brake regulation.

Timetable:

Action	Date	FR Cite
Agency Decision	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Patrick Boyd, Division Chief, Vehicle Controls & Adapted Vehicles Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590

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RIN: 2127-AH79**2628. MOTORCYCLE HEADLAMP SYSTEM****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering whether to modify the motorcycle headlamp system height of upper beam and number of headlamp and light source.

Timetable:

Action	Date	FR Cite
Agency Decision	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Fax: 202 366-4329

RIN: 2127-AH92**2629. GUIDELINES FOR STATES ON ENFORCEMENT OF LIGHT TRANSMISSION****Priority:** Substantive, Nonsignificant**Legal Authority:** 23 USC 402(a)**CFR Citation:** 49 CFR 553.21**Legal Deadline:** None

Abstract: The agency is requesting comments to gather information that will help develop uniform guidelines for states to use in the enforcement of the light transmission standards for window glazing on passenger cars and light trucks. This action is a result of the recent congressional change in this section of the law.

Timetable:

Action	Date	FR Cite
Request for Comment	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State

Agency Contact: Richard L. VanInderstine, Division Chief, Visibility and Control Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280

RIN: 2127-AH97

DOT—NHTSA

Prerule Stage

2630. REVIEW: HEAD RESTRAINTS FOR LIGHT TRUCKS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.202**Legal Deadline:** None

Abstract: This standard requires pick-up trucks, vans, and sport utility vehicles with gross vehicle weight of 10,000 pounds or less, manufactured after September 1, 1991, to have head restraints or high seatbacks for the driver and right-front passenger. The agency will compare the occupant injury rates in rear-crashes of trucks equipped with head restraints and trucks not equipped with head restraints. The cost of the standard will also be established. This regulation was selected for review of its costs, potential benefits, and public interest.

Timetable:

Action	Date	FR Cite
Begin Review	09/29/99	
End Review	09/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH98**2631. • CONFIDENTIAL BUSINESS INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 U.S.C.552**CFR Citation:** 49 CFR Part 512**Legal Deadline:** None

Abstract: The agency is proposing to amend the regulations governing its consideration of claims that information submitted to or obtained by the agency is confidential business information in accordance with governing the submission of materials claimed to be confidential to facilitate this process. The proposed amendments would seek to modify the procedures and to update the regulation in light of changes in the case law.

Timetable:

Action	Date	FR Cite
ANPRM Period End	04/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Sharon Y. Vaughn, Attorney Advisor, Department of Transportation, National Highway Traffic Safety Administration

Phone: 202 366-2992

RIN: 2127-AI13

Department of Transportation (DOT)

Proposed Rule Stage

National Highway Traffic Safety Administration (NHTSA)

2632. PROCEDURES FOR CONSIDERING ENVIRONMENTAL IMPACTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 4321 et seq (National Environmental Policy Act-NEPA)**CFR Citation:** 49 CFR 520**Legal Deadline:** None

Abstract: NHTSA's regulation will be reviewed and reissued, as necessary, where it conflicts with or is duplicative of the regulations of Council on Environmental Quality (CEQ), 40 CFR parts 1500-1508, and with DOT Order 5610.1C, each of which implements the National Environmental Policy Act (NEPA), 42 USC 4321, et seq.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Stephen Wood, Division Chief, Rulemaking Division, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AB79**2633. RADIATOR SAFETY CAP****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency has requested comments on the feasibility of and necessity for rulemaking to require the installation of thermal locking radiator caps or other devices on motor vehicles with water-cooled engines to prevent scalding injuries. Although the notice referred only to thermal locking radiator caps, comments were solicited

on any device or technology designed to prevent such scalding injuries. Petition was granted.

Timetable:

Action	Date	FR Cite
Request for Comments	06/10/93	58 FR 32503
Comment Period End	08/09/93	
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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Fax: 202 366-4329

RIN: 2127-AE59

DOT—NHTSA

Proposed Rule Stage

2634. UPGRADE FUEL INTEGRITY PERFORMANCE REQUIREMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.301**Legal Deadline:** None

Abstract: An advance notice of proposed rulemaking in 1995 announced the agency's plan to consider upgrading the standard by making the current crash requirements more stringent and by broadening the standard's focus to include mitigation concepts related to fuel system components and environmental and aging tests related to components. The notice also requested comments on the agency's plan to explore a three-phase approach to upgrading the standard, data, methods, and strategies which may assist in the agency's regulatory decisions in defining specific requirements and test procedures for upgrading the standard. Based on the responses to the notice and available data, the agency is proposing to replace the current rear impact test procedures with a more stringent test procedure. The agency is also proposing to replace the standard's current side impact test requirements with the side impact test requirements of Federal Motor Vehicle Safety Standard No. 214, Side Impact Protection.

Timetable:

Action	Date	FR Cite
Request for Comments	12/14/92	57 FR 59041
Comment Period End	02/12/93	
ANPRM	04/12/95	60 FR 18566
ANPRM Comment Period End	06/12/95	
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** This action will respond to RIN 2127-AE83.

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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Email: gmouchahoir@nhtsa.dot.gov

RIN: 2127-AF36

2635. HYBRID III 95TH PERCENTILE MALE**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 572; 49 CFR 571.208**Legal Deadline:** None

Abstract: The agency is examining the possibility of proposing specifications for a new 95th percentile male Hybrid III size test dummy for possible use in test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard No. 208. The new test dummy and procedures are being proposed to facilitate the development and introduction of new advanced air bags and other types of advanced restraints technologies for crash protection in frontal impacts.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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 Email: sbackaitis@nhtsa.dot.gov

RIN: 2127-AG79

2636. SIGNAL LAMPS USED WITH LIGHT EMITTING DIODES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is proposing to revise the requirements for signal lamps equipped with 3 or more light emitting

diodes (LED). The current requirements have become design restrictive and a service burden for vehicle and signal lamp manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	06/24/98	63 FR 34350
Extension of Comment Period	08/03/98	63 FR 41222
NPRM Comment Period End	10/09/98	
SNPRM	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-5280
 Fax: 202 366-4329

RIN: 2127-AG88

2637. MOTORCYCLE MOUNTED REFLEX REFLECTOR HEIGHT**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering allowing a lower minimum mounting height for side reflex reflectors on motorcycles. The intent is to harmonize United States lighting safety standards with European and Asian reflector position regulations and improve the flow of trade by creating "windows of harmonization" that will allow manufacturers to market "common" vehicles in global markets.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury

DOT—NHTSA

Proposed Rule Stage

Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-5280
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RIN: 2127-AG92

2638. +ALLOCATION OF FUEL ECONOMY CREDITS

Priority: Other Significant

Legal Authority: 49 USC 32903

CFR Citation: 49 CFR 534

Legal Deadline: None

Abstract: The agency is proposing rulemaking to clarify when and how predecessor and successor automobile manufacturers may use the fuel economy credits of the predecessor or successor. The use of carry forward or carry back credits will be specified for manufacturers that merge. This action is considered significant because it will affect the treatment of the Corporate Average Fuel Economy (CAFE) penalties.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-0846
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 Email: rproctor@nhtsa.dot.gov

RIN: 2127-AG97

2639. BUY AMERICAN REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 97-424

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The agency is proposing to exempt certain purchases by grantees from the requirements of the Department of Transportation's Buy American provisions to streamline and

improve the grant process. These proposed exemptions will include small purchases not to exceed the current small purchase threshold.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John Donaldson, Senior Attorney, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-1834

RIN: 2127-AG99

2640. POLITICAL SUBDIVISION PARTICIPATION IN STATE HIGHWAY SAFETY PROGRAMS AND STATE HIGHWAY SAFETY AGENCY

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1250; 23 CFR 1251

Legal Deadline: None

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency is proposing to amend certain provisions concerning the State Highway Safety Programs to streamline them and delete obsolete or unnecessary requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Agency Contact: John Donaldson, Senior Attorney, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1834

RIN: 2127-AH00

2641. +HARMONIZATION OF HEAD RESTRAINTS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; 49 USC 322

CFR Citation: 49 CFR 571.202

Legal Deadline: None

Abstract: The agency is proposing to upgrade the current head restraint requirements to increase safety. The proposal also would, until the upgraded requirements become effective, allow manufacturers to certify their vehicles either to the existing U.S. requirements or to the Economic Commission for Europe (ECE) Regulation No. 25. The upgrade proposes performance requirements intended to assure that the head restraint, if adjusted, will remain locked in specific height positions and calls for the installation of head restraints in rear seats. This action is concerned significant due to the expected high cost to the private sector for the modifications to the standard.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AH09

DOT—NHTSA

Proposed Rule Stage

2642. DEFINITION OF COMMUNITY TRANSPORTATION VEHICLES**Priority:** Substantive, Nonsignificant**Legal Authority:** 9 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is proposing to amend various sections of part 571 to create a new vehicle type, tentatively called community transportation vehicles, that will have to meet the crashworthiness standards applicable to school buses, but will not have to meet some of the crash avoidance standards (i.e., stop arms, flashing lights, etc.). This would allow manufacturers to certify vehicles that will be less expensive and as safe as a school bus for transportation of Head Start students because we have tentatively decided that the school bus crash avoidance features are unnecessary when there is no curb-side pickup.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH23**2643. METRIC CONVERSION—PHASE III****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166; PL 100-418, sec 5164**CFR Citation:** 49 CFR 571**Legal Deadline:** None

Abstract: The agency is amending selected Federal motor vehicle safety standards by converting English measurements in those standards to

metric measurements. This rulemaking is the third and final in a series that the agency will undertake to implement the Federal policy that the metric system is the preferred system of weights and measures for U.S. trade and commerce. The conversions are not intended to change the stringency of the affected Federal motor vehicles safety standards.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Noble Bowie, Director, Office of Planning and Consumer Programs, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-0842

RIN: 2127-AH27**2644. UPGRADE DOOR RETENTION PERFORMANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.206**Legal Deadline:** None

Abstract: Based upon annual average estimates from the 1988 through 1996 Fatal Analysis Reporting System (FARS) and the National Automotive Sampling System (NASS), there is an annual average of 2,515 fatalities and 1,882 serious injuries due to door ejections. Side door ejections are the second leading cause of ejections in all crashes, superseded only by ejections through fixed glazing. One of the activities of agency rollover research focuses on reducing injuries and fatalities resulting from side door ejections. This research has led the agency to potential significant solutions to mitigating a substantial number of these fatalities and injuries by improving side door retention performance. Therefore, the agency is proposing to upgrade the door retention requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH34**2645. ADMINISTRATIVE REWRITE OF THE LIGHTING REQUIREMENTS OTHER THAN HEADLAMPS****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to rewrite the reflective devices and associated equipment requirements to make the standard more readable and understandable. The standard has grown over the last 30 years by the incorporation of dozens of amendments. The document has become unwieldy to use and the agency decided to rewrite it to separate it into sections that address each lighting function separately. These sections will state the basic performance necessary for each lighting function and for lamp installation on various vehicle types. The rewrite will continue to reference Society of Automotive Engineers (SAE) and other standards and recommended practices for test procedures if too lengthy to incorporate changes. Moreover, it will codify various agency interpretations of its rules to make the standard more explicit and objective. The administrative rewrite of the

DOT—NHTSA

Proposed Rule Stage

headlamp regulations can be found under RIN 2127-AG87.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH37

2646. EJECTION MITIGATION USING ADVANCED GLAZING

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.205

Legal Deadline: None

Abstract: In response to the Intermodal Surface Transportation Efficiency Act of 1991, the agency is requesting comments on the report titled "Ejection Mitigation Using Advanced Glazing: Status Report II." This report is to inform the public about the agency's research findings to date on advanced glazing materials that may prevent ejection on vehicle occupants through motor vehicle windows during crashes.

Timetable:

Action	Date	FR Cite
Request for Comments	07/19/00	65 FR 44710
Comment Period End	11/16/00	
Agency Decision	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AH50

2647. EXEMPTION FOR INCONSEQUENTIAL DEFECT OR NONCOMPLIANCE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30113

CFR Citation: 49 CFR 556

Legal Deadline: None

Abstract: Present regulation requires a petitioner to submit data "supporting its petition" which advocates excusing it from its notification and remedial obligations. Because the petitioner may have pertinent data relevant to the agency's decision that would not support granting it, the agency is proposing a clarification that all data pertaining to the subject in the possession of the petitioner be part of the petition. The agency also is proposing the petitioner provide a full and accurate analysis of its petition and certify that it is accurate and complete.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Taylor Vinson, Senior Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH58

2648. COMPLIANCE AND ENFORCEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571

Legal Deadline: None

Abstract: The agency is proposing to codify our long-standing general policy that motor vehicles and items of motor vehicle equipment must be cable of

satisfying the requirements of each particular standard or regulation with the adjustable components of the vehicle or vehicle equipment adjusted to any position they can occupy while the vehicle is being operated unless the particular standard or regulation specifies otherwise or the manufacturer explicitly warns against placing the equipment or vehicle in that position. The agency is also proposing that where a standard provides manufacturers with more than one compliance option, manufacturers must select which compliance option(s) they are certifying to by the time they certify a vehicle or equipment item.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephen Wood, Division Chief, Rulemaking Division, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AH63

2649. REGISTERED IMPORTERS OF VEHICLES NOT ORIGINALLY MANUFACTURED TO CONFORM WITH THE FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30141; 49 USC 30147

CFR Citation: 49 CFR 592

Legal Deadline: None

Abstract: The agency is proposing to reduce regulatory burdens associated with importation of Canadian vehicles for resale in the United States when those vehicles already comply in all essential respects with the Federal motor vehicle safety standards. This proposal will enhance safety by revising application procedures to ensure a higher caliber of registered importers and clarifying existing obligations.

DOT—NHTSA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses**Government Levels Affected:** None

Agency Contact: Taylor Vinson, Senior Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH67

2650. ACCELERATOR CONTROL SYSTEMS**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.124**Legal Deadline:** None

Abstract: Pursuant to the March 4, 1995, directive "Regulatory Reinvention Initiative," the agency reviewed this standard and published a "Request for Comment" to obtain information on electronic accelerator controls. After reviewing the comments received on this notice, the agency plans to propose a revision of the standard that will make explicit the application of the standard to electronic accelerator controls and the electric vehicles. The proposal will recognize that electronic engine controls vastly increase the ways manufacturers can achieve fail-safe performance in the event of a disconnection or severance of the accelerator control system and will propose a number of alternative compliance tests for fail-safe performance to avoid design restrictions.

Timetable:

Action	Date	FR Cite
Request for Comments	12/04/95	60 FR 62061

Action	Date	FR Cite
Comment Period End	02/02/96	
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses**Government Levels Affected:** None

Agency Contact: Patrick Boyd, Division Chief, Vehicle Controls & Adapted Vehicles Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590

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RIN: 2127-AH71

2651. +FRONTAL OFFSET PROTECTION

Regulatory Plan: This entry is Seq. No. 102 in Part II of this issue of the Federal Register.

RIN: 2127-AH73

2652. LOW-SPEED VEHICLE PERFORMANCE REQUIREMENTS**Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.500**Legal Deadline:** None

Abstract: Low-speed vehicles (LSV) have a maximum speed of between 20 and 25 miles per hour (mph). These vehicles are required to have certain equipment some of which does not have any performance requirements. The agency is proposing to set performance criteria for the various safety systems and hardware necessary for use on these vehicles.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses**Government Levels Affected:** None

Agency Contact: Richard L. Van Iderstine, Division Chief, Visibility and Control Division, Department of Transportation, National Highway

Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280

RIN: 2127-AH80

2653. HEADLAMP GLARE**Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.108**Legal Deadline:** None

Abstract: The current standard sets minimum and maximum intensities for headlamps to ensure that the two most important aspects of head lighting performance are balanced. These often conflicting aspects are (1) to assure the driver of the vehicles sees as much of the roadway possible, while (2) minimizing glare for other drivers using the road. The balance the agency has chosen of these two areas has changed very little since 1970. The agency has been receiving a significant number of public complaints about glare from other vehicles' headlamps. In light of significant technological changes, including improved halogen lamps and high intensity discharge lamps, fleet mix changes (nearly half of all new vehicles sold in 1998 were light trucks, with higher-mounted headlamps), and an increase in the age of the population, the agency wants to reexamine the balance it has chosen between seeing distance and glare to see if it is still appropriate. The agency will ask the public for comments and information to begin exploring this area more fully.

Timetable:

Action	Date	FR Cite
Request for Comments	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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DOT—NHTSA

Proposed Rule Stage

Fax: 202 366-4329

RIN: 2127-AH81

2654. STOWABLE OR FOLD-AWAY CHILD RESTRAINT ANCHORAGES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.225**Legal Deadline:** None

Abstract: This action proposes requests by petitions for reconsideration to permit stowing and fold-away anchors on vehicles. The proposal would set performance and other requirements for such anchors. This pertains to the requirements established in the final rule published March 5, 1999 (64 FR 10785 RIN 2127-AG50).

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Other issued raised by the petitioners are being addressed in RIN 2127-AH65 - Child Restraint Anchorage Systems - Part 1 and RIN 2127-AH86 - Child Restraint Anchorage Systems - Part 2.

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH85

2655. NECK LATERAL BENDING FOR 50TH PERCENTILE MALE SIDE IMPACT DUMMY HYBRID III (SID/HIII)**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 572**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is considering

whether to modify the neck lateral bending response specifications for the Side Impact Hybrid Dummy 50th Percentile Male (SID/HIII).

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH87

2656. DEFECT REPORTING AND NOTIFICATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30102 to 30103; 49 USC 30112; 49 USC 30115 to 30121; 49 USC 30166 to 30167**CFR Citation:** 49 CFR 573; 49 CFR 576; 49 CFR 577**Legal Deadline:** None

Abstract: The agency is proposing to amend its current regulations on Defect and Noncompliance Reports and Defect and Noncompliance Notification. The amendments are intended to implement the investigative and recall provisions by increasing the availability of information regarding safety related defects and noncompliance and by improving notification to consumers of recalls of defective and noncomplying motor vehicle equipment.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Jonathan D. White, Defects Investigator, Office of Defects Investigation, Department of Transportation, National Highway Traffic Safety Administration, 400

Seventh Street SW., Washington, DC 20590

Phone: 202 366-5227

RIN: 2127-AH89

2657. CLARIFY TEST PROCEDURES FOR BRAKE FLUIDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.116**Legal Deadline:** None

Abstract: The agency is proposing to revise the corrosion and evaporation test procedures. These revisions are intended to improve the levels of compliance test repeatability and/or reproducibility.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 2127-AH96

2658. • IMPROVE MOTORCYCLE HELMET HEAD PROTECTION**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.218**Legal Deadline:** None

Abstract: In 1998, 2,284 motorcyclists were killed and 49,000 injured in traffic crashes on U.S. highways. The agency believes that helmet usage by motorcyclists is the most effective method to reduce deaths and injuries in motorcycle crashes. In order to improve the head protection for motorcyclists, the agency is proposing to upgrade the performance standards and test procedures to incorporate the

DOT—NHTSA

Proposed Rule Stage

technological advancements available in the current market and to review the standard for harmonization with other major helmet standards.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI03

2659. • MOVING BARRIER TIRE SPECIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.214; 49 CFR 571.301

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing deletion of the currently specified G78-15 tires used in the moving barrier test and replacing them with both P205-75R15 radial and G78-15 bias ply tires. The current tires are not readily available.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI05

2660. • THEFT DATA FOR CALENDAR YEAR 1999

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104(b)(4)

CFR Citation: 49 CFR 541

Legal Deadline: None

Abstract: The agency is publishing a request for comments on the preliminary theft data on passenger motor vehicles that occurred in calendar year 1999 for model year 1999. Publication of this data fulfills the agency's obligation to periodically obtain accurate and timely data and publish the information for review and comment.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI06

2661. • INSURER REPORTING REQUIREMENTS FOR OCTOBER 2001

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33112

CFR Citation: 49 CFR 544

Legal Deadline: None

Abstract: The agency is proposing to update its lists in Appendices, A, B, and C of passenger motor vehicle insurers that are required to file reports on their motor vehicle theft loss experience. If these revised appendices are adopted in a final rule, each insurer included in any of these appendices must file a report for the calendar year 1997 not later than October 25, 2001. Further, as long as the insurer remains listed, it must submit reports by each subsequent October 25.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI07

2662. • REORGANIZE AND HARMONIZE CONTROLS AND DISPLAYS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 SC 30166

CFR Citation: 49 CFR 571.101

Legal Deadline: None

Abstract: The agency is proposing to reorganize the controls and displays requirements to make them more user-friendly and to harmonize the standard with the Canadian Motor Vehicle Safety Standard No. 101 on the same subject. These proposed changes will lists the symbols used in the standard to improve driver recognition of the function of controls and the meaning of telltales.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Patrick Boyd, Division Chief, Vehicle Controls & Adapted Vehicles Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590

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RIN: 2127-AI09

Department of Transportation (DOT)
National Highway Traffic Safety Administration (NHTSA)

Final Rule Stage**2663. BRAKE LINING****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.105**Legal Deadline:** None

Abstract: Petitions from R. Grabowsky and American Trucking Association (ATA) requested initiation of rulemaking concerning brake linings (all vehicles and aftermarket). Mr. Grabowsky petitioned relative to stability, friction level, fade, wear, and identification of linings. ATA petitioned relative to friction level and identification of linings for heavy vehicles only. Petitions concerned both performance levels and test procedures, and were granted.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

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George Soodoo, Division Leader, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AC66**2664. SEATING SYSTEMS PERFORMANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.207**Legal Deadline:** None

Abstract: Environmental Research and Safety Technologists of Flagstaff, AZ,

petitioned the agency to reexamine the seatback performance requirements of the standard in rear impact crashes.

Timetable:

Action	Date	FR Cite
ANPRM	10/04/89	54 FR 40896
ANPRM Comment Period End	12/04/89	54 FR 40896
Request for Comments	11/23/92	57 FR 54958
Comment Period End	01/22/93	
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Petitions for rulemaking were granted 07/24/89. See a related rulemaking action involving these petitioners under RIN 2127-AC57. The first part of the research is complete. A computer model and a prototype seat were developed. Information on this research is available in the docket along with a report on crash data analysis. The agency is currently evaluating the research results and conducting vehicle seat testing.

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RIN: 2127-AD08**2665. +PLATFORM LIFT SYSTEMS****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.141; 49 CFR 571.142**Legal Deadline:** None

Abstract: This supplemental notice proposes to establish two new safety standards: an equipment standard specifying requirements for platform lifts; and a vehicle standard for all vehicles equipped with such lifts. This supplemental notice significantly differs from our original proposal in several respects. Most notably, the scope of our proposal has been expanded to platform lifts installed on

all motor vehicles. Other significant changes are additional interlock requirements, improved wheelchair retention and platform slip resistance tests, and, in some instances, lesser compliance standards for lifts installed on vehicles typically used solely for private transport. This action is considered significant due to substantial public interest in transportation of individuals with disabilities.

Timetable:

Action	Date	FR Cite
NPRM	02/26/93	58 FR 11562
NPRM Comment Period End	04/27/93	
SNPRM	07/27/00	65 FR 46227
Correction	08/04/00	65 FR 47946
SNPRM Comment Period End	10/25/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Gayle Dalrymple, Safety Engineer, Vehicle Controls and Adapted Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-5559

RIN: 2127-AD50**2666. ALTERNATIVE GEOMETRIC VISIBILITY REQUIREMENTS FOR LAMPS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is proposing to harmonize the lighting standard's geometric visibility requirements for signal lamps and rear side marker color with those of the ECE. Harmonization of the standard worldwide, without reducing safety, would allow manufacturers to reduce costs by producing to a single world vehicle standard rather than several, thus reducing costs and improving the flow of trade. The agency is issuing additional/alternative proposals.

DOT—NHTSA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/26/95	60 FR 54833
NPRM Comment Period End	12/26/95	
SNPRM	12/10/98	63 FR 68233
SNPRM Comment Period End	03/10/99	
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: On February 27, 1997 (62 FR 8883), the agency terminated rulemaking in which the agency had asked for comments on whether the performance and installation of front and rear fog lamps should be regulated. In response to these comments, the SAE has established a Fog Lamp Task Force to develop an internationally-acceptable fog lamp standard, on which a Federal standard could be based.

ANALYSIS: Regulatory Evaluation, 10/26/95, 60 FR 54833

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AF75

2667. POWER-OPERATED WINDOWS: ROOF PANELS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.118

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to amend the test procedure used to demonstrate compliance by adding an alternative testing specification for a non-contact automatic reversal system, in order to provide a more meaningful and realistic method for evaluating the compliance of such systems which do not rely on contact to sense an obstruction. Petition was granted.

Timetable:

Action	Date	FR Cite
NPRM	06/04/96	61 FR 28124
Correction	06/14/96	61 FR 30209
NPRM Comment Period End	08/05/96	
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AF83

2668. AUTOMOTIVE FUEL ECONOMY REPORTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 49 USC 32907

CFR Citation: 49 CFR 537

Legal Deadline: None

Abstract: In response to the President's regulatory reinvention initiative, the agency is proposing to remove obsolete reporting requirements. These submission requirements include factors such as "breakover angles" for light trucks, which are essentially never used by NHTSA. Revising this part would reduce the costs to the industry of reporting to NHTSA. This action will not inhibit the agency's ability to comply with its statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/13/96	61 FR 22010
NPRM Comment Period End	07/12/96	
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs

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RIN: 2127-AG00

2669. DEALER NOTIFICATION OF DEFECT OR NONCOMPLIANCE DETERMINATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30102; 49 USC 30103; 49 USC 30111; 49 USC 30112; 49 USC 30115; 49 USC 30116; 49 USC 30118; 49 USC 30119; 49 USC 30120; 49 USC 30163; 49 USC 30165; 49 USC 30166

CFR Citation: 49 CFR 573; 49 CFR 577

Legal Deadline: None

Abstract: The rule will implement an amendment to 49 USC Chapter 301 which prohibits dealers from selling motor vehicles or motor vehicle equipment that have been determined to contain a safety-related defect or noncompliance with a Federal motor vehicle safety standard until the defect or noncompliance is remedied. It will set forth criteria to govern the timing and content of notifications of defects and noncompliances that manufacturers must send to their dealers.

Timetable:

Action	Date	FR Cite
NPRM	09/27/93	58 FR 50314
NPRM Comment Period End	10/27/93	
SNPRM	05/19/99	64 FR 27227
SNPRM Comment Period End	06/18/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jonathan D. White, Defects Investigator, Office of Defects Investigation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5227

RIN: 2127-AG27

DOT—NHTSA

Final Rule Stage

2670. POWER WINDOW SAFETY SWITCHES**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.118**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency proposed to require each power operated window, interior partition, and roof panel in a motor vehicle to be equipped with a switch designed so that contact by a form representing a small child's knee would not close window, partition, or panel. The agency is withdrawing the proposal because it could not find sufficient evidence of a safety problem.

Timetable:

Action	Date	FR Cite
NPRM	11/15/96	61 FR 58504
NPRM Comment Period End	01/14/97	
To Be Withdrawn	04/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 2127-AG36**2671. MODIFIED VEHICLES TO ACCOMMODATE A PERSON'S DISABILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30122(c)**CFR Citation:** 49 CFR 595**Legal Deadline:** None

Abstract: The agency is proposing to establish new conditions under which a vehicle may be modified to accommodate a person's disability so that the modifier will not be subjected to the statutory prohibition against the "making inoperative" requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/28/98	63 FR 51547
NPRM Comment Period End	12/28/98	
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Gayle Dalrymple, Safety Engineer, Vehicle Controls and Adapted Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5559

RIN: 2127-AG40**2672. SEAT BELT POSITIONING DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 575**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is proposing a labeling requirement for seat belt positioning devices. This label would consist of a warning regarding the suitability of these devices for a particular height/weight/age of child.

Timetable:

Action	Date	FR Cite
NPRM	08/13/99	64 FR 44164
NPRM Comment Period End	10/12/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG49**2673. GLARE REDUCTION FROM DAYTIME RUNNING LAMPS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None

Abstract: The agency is proposing to amend the lighting standard to reduce glare from daytime running lamps (DRLs). It would do this in three stages. One year after publication of the final rule, DRLs utilizing the upper headlamp beam would not be permitted to exceed 3,000 candela (cd) at any point, thus becoming subject to the maximum candela permitted for DRLs other than headlamps. This same limit would be applied to the upper half of lower beam DRLs two years after publication of the final rule. Finally, four years after publication of the final rule, all DRLs, except lower beam DRLs, would be subject to a flat 1,500 cd limit. Lower beam DRLs would be limited to 1,500 cd at horizontal or above. This action is intended to provide the public with all the conspicuity benefits of DRLs while reducing glare and is based on research that has become available since the final rule establishing DRLs was published in 1993.

Timetable:

Action	Date	FR Cite
NPRM	08/07/98	63 FR 42348
NPRM Comment Period End	09/21/98	
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG86

DOT—NHTSA

Final Rule Stage

2674. ADMINISTRATIVE REWRITE FOR HEADLAMP REQUIREMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.108**Legal Deadline:** None

Abstract: The agency has proposed to rewrite the sections relating to headlighting. The rewrite is important because of the standard's age and numerous amendments which have made it difficult to read and interpret. The revised standard should reduce burden especially to small manufacturers because of improved clarity. The reorganization of the sections relating to other lamps will be addressed in a separate rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	11/12/98	63 FR 63258
Comment Period End	02/08/99	64 FR 6021 4/11/99
NPRM Comment Period End	02/10/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Richard VanInderstine, Division Chief, Visibility and Injury Prevention Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG87**2675. STATE ISSUED IDENTIFICATION DOCUMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-208, sec 656**CFR Citation:** 23 CFR 1331**Legal Deadline:** NPRM, Statutory, September 30, 1997.

Abstract: The agency issued a notice of proposed rulemaking to implement the requirements contained in section 656(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. This section of the Act, entitled State-Issued Driver's Licenses

and Comparable Identification Documents, provides that a Federal agency may only accept as proof of identity a driver's license or identification document that conforms to specific requirements, in accordance with regulations issued by the Department of Transportation. The agency received over 2000 comments to this notice. The agency's appropriations act imposed a restriction on the use of FY 99 funds to issue a final rule implementing the proposed requirements. Subsequently the agency's FY 2000 appropriations act repealed section 656(b). The agency will take action to terminate the rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	06/17/98	63 FR 33220
NPRM Comment Period End	08/03/98	
Comment Period End	08/19/98	63 FR 44415 10/2/98
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Federal

Agency Contact: William Holden, Division Chief, Driver Register and Traffic Records Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4800

RIN: 2127-AG91**2676. PLACEMENT OF WHEELCHAIR RESTRAINTS ON BUSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 30117; 49 USC 30166; 49 USC 322; 49 USC 30111; 49 USC 30115**CFR Citation:** 49 CFR 571.217**Legal Deadline:** None

Abstract: To prevent blocking of the emergency exits, the agency is proposing to add a new section to the standard to not allow the placement of wheelchair securement anchorages or other devices that protrude into the aisle of an emergency exit in all buses.

Timetable:

Action	Date	FR Cite
NPRM	03/05/99	64 FR 10604
NPRM Comment Period End	05/04/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH03**2677. INCORPORATE THE 1996 REVISION OF THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI)****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.205**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, the agency is proposing to incorporate the 1996 revision of the American National Standards Institute (ANSI) standard for safety glazing used in motor vehicles and other minor revisions into the agency's current standard for safety glazing used in motor vehicles.

Timetable:

Action	Date	FR Cite
NPRM	08/04/99	64 FR 42330
NPRM Comment Period End	10/04/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

DOT—NHTSA

Final Rule Stage

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 RIN: 2127-AH08

2678. TRUCK AIR BRAKING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.121

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to modify the air brake requirements for five of the ten recommended modifications. These areas are to provide consistency between table I., Stopping Sequence, item 4(b) and S5.7.3(b); provide wording for single-unit vehicles to prevent single-unit axle overloading; clarify emergency brake requirements for trucks and buses; address the misconceptions about the wheel lock provisions as they apply to vehicles with tandem axles; and correct two minor typographical errors. The other five recommendations will be denied.

Timetable:

Action	Date	FR Cite
NPRM	02/03/99	64 FR 5259
NPRM Comment Period End	04/05/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Soodoo, Division Leader, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AH11

2679. CHILD RESTRAINTS FOR OLDER CHILDREN

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is requesting comments on whether the child restraint standard should be amended to facilitate the production of lap belt-installed booster seats and other child restraints for children weighing over 18 kilograms, such as by allowing use of a tether in some of the compliance tests.

Timetable:

Action	Date	FR Cite
Request for Comment	07/07/99	64 FR 36657
Comment Period End	09/07/99	
Agency Decision	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AH14

2680. MOTORCYCLE BRAKING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.122

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering eliminating the requirements for the minimum hand lever force (5 pounds) and the minimum foot pedal force (10 pounds) for fade and water recovery tests.

Timetable:

Action	Date	FR Cite
NPRM	11/17/99	64 FR 62622
NPRM Comment Period End	01/18/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AH15

2681. HEAVY VEHICLE ANTILOCK BRAKE SYSTEM (ABS) PERFORMANCE REQUIREMENT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105; 49 CFR 571.121

Legal Deadline: None

Abstract: The agency has proposed performance tests for ABS-equipped single unit trucks and buses. ABS equipment requirements became effective for air-braked single unit trucks, buses, and trailers on March 1, 1998, and for hydraulic-braked trucks and buses becomes effective on March 1, 1999. The agency indicated in prior rulemaking notices that it would consider supplementing these ABS equipment requirements with performance requirements after conducting tests to determine if such testings are practicable and repeatable for trucks and buses.

Timetable:

Action	Date	FR Cite
NPRM	12/21/99	64 FR 71377
NPRM Comment Period End	02/22/00	
Final Action	02/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AH16

DOT—NHTSA

Final Rule Stage

2682. +SAFETY INCENTIVE GRANTS FOR USE OF SEAT BELTS—ALLOCATIONS BASED ON STATE SEAT BELT USE RULES**Priority:** Other Significant**Unfunded Mandates:** This action may affect State, local or tribal governments.**Legal Authority:** PL 105-178, sec 1403**CFR Citation:** 23 CFR 1240**Legal Deadline:** None

Abstract: Section 1403 of TEA-21 established a new program of incentive grants (under Section 157 of chapter 1 of Title 23) to encourage States to increase seat belt use rates. This rulemaking action establishes the criteria and procedures to be followed to implement this incentive grant program. A State is eligible for an incentive grant if: (1) The State had a seat belt use rate greater than the national average for the two preceding calendar years, OR (2) The State's seat belt use rate in the previous calendar year was higher than the State's "base seat belt use rate." (The "base seat belt use rate" is defined as the State's highest use rate for any calendar year from 1996 through the calendar year preceding the previous calendar year.) The amount of funding each State is awarded will be based on calculations by the Secretary of the annual savings to the Federal Government in medical costs (including savings under the medicare and medicaid programs). According to the statute, on September 1 of each year, beginning in 1998, the Department will determine which States meet the eligibility criteria, and on October 1 of each year, the Department will allocate the incentive grant funds. This rule sets forth the procedures the agency will use to evaluate seat belt use rates and to allocate funds. It was published as an interim final rule with immediate effectiveness because the first evaluations of seat belt use information were required on September 1, 1998, and the first allocations of funds were required on October 1, 1998. In the next action, the agency expects to evaluate and respond to comments, as appropriate.

The statute authorizes a total of \$500 million for grants under this section for fiscal years 1999 through 2003. A State may use these grant funds for any project eligible for assistance under Title 23. If there are any unallocated funds available in FY 1999, the excess

amounts will be apportioned to the states for expenditure on the Surface Transportation Program (STP). If there are any unallocated funds available in FY 2000 through FY 2003, the Secretary is directed to allocate the funds to selected States to carry out innovative projects that promote increased seat belt use rates. States will be selected based on plans submitted to the Secretary.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/29/98	63 FR 57904
Interim Final Rule Effective	10/29/98	
Comment Period End	01/29/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State

Agency Contact: Wendi Wilson-John, Office of State and Community Services, Department of Transportation, National Highway Traffic Safety Administration
Phone: 202 366-2121

RIN: 2127-AH38**2683. OCCUPANT PROTECTION INCENTIVE GRANTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-178, sec 2003**CFR Citation:** 23 CFR 1345**Legal Deadline:** None

Abstract: TEA-21 established a new program of incentive grants to encourage States to adopt and implement effective programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles. An interim final rule was published to establish criteria and procedures to be followed to implement this incentive grant program. A State may become eligible to receive a grant under this section by demonstrating that it has implemented at least four of the following six criteria: 1) a law requiring safety belt use by all front seat passengers (and beginning in FY2001, in any seat in the vehicle); 2) a primary safety belt law; 3) minimum fines or penalty points for belt and child seat violations; 4) a special traffic enforcement program; 5) a child passenger protection education

program; and 6) a child passenger protection law - requiring minors to be properly secured. The statute authorizes a total of \$68 million for grants under this section over 5 years beginning in fiscal year 1999. Each State that qualifies for a grant receives up to 25 percent of its FY1997 section 402 apportionment. An interim final rule was published with immediate effectiveness, because its criteria applied to States seeking to receive funds beginning on October 1, 1998. A final rule will be published.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/98	63 FR 52592
Interim Final Rule Effective	11/02/98	
Interim Final Rule Comment Period End	11/30/98	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Tribal

Agency Contact: Joan Tetrault, Office of State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2121

RIN: 2127-AH40**2684. OPEN CONTAINER REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-206, 112 Stat 834**CFR Citation:** 23 CFR 1230**Legal Deadline:** None

Abstract: Section 5 of the TEA-21 Restoration Act established a new program (under section 154 of chapter 1 of title 23) to encourage States to enact Open Container laws. A State which does not have an Open Container law will have certain Federal-aid highway funds transferred to the State's section 402 State and Community Highway Safety grant program. An interim final rule was published to establish the criteria and procedures to be followed to implement this transfer program.

DOT—NHTSA

Final Rule Stage

Each State shall have in effect an Open Container law that prohibits the possession of any open alcoholic beverage container, or the consumption of any alcoholic beverage, in the passenger area of any motor vehicle (including possession or consumption by the driver of the vehicle) located on a public highway, or the right-of-way of a public highway, in the State. On October 1, 2000, and October 1, 2001, if a State has not enacted and is not enforcing an Open Container law, 1-1/2 percent of the Federal-aid highway funds apportioned to the State under paragraphs (1), (3), and (4) of section 104(b) will be transferred to the State's section 402 apportionment. On October 1, 2002, and each October 1 thereafter, if a State has not enacted and is not enforcing an Open Container Law, the transferred amount increases to 3 percent. Funds transferred to section 402 must be used for alcohol-impaired driving countermeasures or enforcement of driving while intoxicated (DWI) or driving under the influence (DUI) and other related laws. A State may elect to use all or part of its transferred funds for activities eligible under the section 152 Hazard Elimination Program. The Federal share of a project funded under this section is 100 percent.

An interim final rule was published with immediate effectiveness because some state legislatures were not scheduled to meet in 2000, so they were preparing their legislative agendas at the time of publication for their 1999 legislative sessions. The states had a need to know what the criteria were to be as soon as possible so they could enact conforming legislation and avoid the transfer of funds on October 1, 2000. The agency concluded, therefore, that prior notice and opportunity to comment on the rule was both impracticable and contrary to the public interest and found good cause to publish an interim final rule. A final rule will be published.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/06/98	63 FR 53580
Interim Final Action Effective	11/05/98	
Comment Period End	12/07/98	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Agency Contact: Glenn Karr, Office of State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW, Washington, DC 20590

Phone: 202 366-2121

RIN: 2127-AH41

2685. STATE HIGHWAY SAFETY DATA IMPROVEMENTS INCENTIVE GRANTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-178, sec 2005

CFR Citation: 23 CFR 1335

Legal Deadline: None

Abstract: TEA 21 established a new program of incentive grants to encourage States to adopt and implement programs to improve highway safety data. An interim final rule was to establish criteria and procedures to be followed to implement this incentive grant program to encourage States to adopt and implement effective programs to improve the timeliness, accuracy, completeness, uniformity, and accessibility of State data that is needed to identify priorities for national, State, and local highway and traffic and State programs. A State may become eligible to receive a grant under this section by demonstrating that it has met one of the following three options:

1) establish a multi-disciplinary highway safety data and traffic records coordination committee; complete a highway safety data and traffic records assessment or audit within the last five years and initiate development of a multi-year highway safety data and traffic records strategic plan. Upon completion of this option the State may receive \$125,000. 2) certify that the State has met the criteria of option 1 and submit a data and traffic record multi-year plan, identifying goals, performance-based measures, and priorities; and specify how incentive funds will be used. Upon completion of this option the State may receive \$250,000. 3) the Secretary may award grants of up to \$25,000 for 1 year to any State that does not meet the criteria for option 1. In subsequent years a State must submit or update a data and traffic records multi-year plan, identifying goals, performance-based measures and priorities; and the specifics of how incentive funds will

be used. The State must certify that the coordinating committee continues to support the multi-year plan and report annually on the progress made to implement the plan. States meeting these conditions in subsequent years may receive \$225,000 or more, based on the population and road mileage in the state. A total of \$32,000,000 is authorized for fiscal years 1999 through 2002, and all grant amounts are subject to the availability of funds. An interim final rule was published with immediate effectiveness, because its criteria applied to States seeking to receive funds beginning on October 1, 1998. A final rule will be published.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/08/98	63 FR 54044
Interim Final Rule Effective	11/09/98	
Comment Period End	12/07/98	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal

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RIN: 2127-AH43

2686. MINIMUM PENALTIES FOR REPEAT OFFENDERS

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-206, 112 Stat 834

CFR Citation: 23 CFR 1235

Legal Deadline: None

Abstract: Section 5 of the TEA-21 Restoration Act established a new program (under section 164 of chapter 1 of title 23) to encourage States to enact Repeat Intoxicated Driver laws. A State which does not have a Repeat Intoxicated Driver law will have certain

DOT—NHTSA

Final Rule Stage

Federal-aid highway funds transferred to the States section 402 State and Community Highway Safety grant program. An interim final rule was published to establish the criteria and procedures to be followed to implement this transfer program.

Each State shall have in effect a Repeat Intoxicated Driver law that provides, as a minimum penalty, that an individual convicted of a second or subsequent offense for driving while intoxicated (DWI) or driving under the influence (DUI) after a previous conviction for that offense shall (A) receive a driver's license suspension for not less than 1 year; (B) be subject to the impoundment or immobilization of each of the individual's motor vehicles or the installation of an ignition interlock system on each of the motor vehicles; (C) receive an assessment of the individual's degree of abuse of alcohol and treatment as appropriate; and (D) receive (i) for 2nd offense, not less than 30 days community service or 5 days of imprisonment; and (ii) for 3rd and subsequent offense, not less than 60 days community service or 10 days of imprisonment. On October 1, 2000, and October 1, 2001, if a State has not enacted and is not enforcing a Repeat Intoxicated Driver law, 1-1/2 percent of the Federal-aid highway funds apportioned to the State under paragraphs (1), (3), and (4) of section 104(b) will be transferred to the State's section 402 apportionment. On October 1, 2002, and each October 1 thereafter, if a State has not enacted and is not enforcing a Repeat Intoxicated Driver law, the transferred amount increases to 3 percent. Funds transferred to section 402 must be used for alcohol-impaired driving countermeasures or enforcement of driving while intoxicated (DWI) or driving under the influence (DUI) and other related laws. A State may elect to use all or part of its transferred funds for activities eligible under the section 152 Hazard Elimination Program. The Federal share of a project funded under this section is 100 percent.

An interim final rule was published with immediate effectiveness, because some state legislatures are not scheduled to meet in the year 2000, so they were preparing their legislative agendas at the time of publication for their 1999 legislative sessions. The states had a need to know what the criteria would be as soon as possible so they could enact conforming

legislation and avoid the transfer of funds on October 1, 2000. The agency concluded, therefore, that prior notice and opportunity to comment on the rule was both impracticable and contrary to the public interest and found good cause to publish an interim final rule. A final rule will be published.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/19/98	63 FR 55796
Interim Final Rule Effective	11/18/98	
Comment Period End	12/18/98	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State

Agency Contact: Glenn Karr, Office of State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-2121

RIN: 2127-AH47

2687. PARKING BRAKE WARNING SYSTEM ON SCHOOL BUSES**Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105; 49 CFR 571.121

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to require school buses be equipped with a parking brake warning system that activates when the school bus engine is turned off, the transmission is in neutral, and the parking brake has not been applied. This request for comments notice seeks to obtain information to help the agency determine the magnitude of the problem and the potential effectiveness of the proposed warning system.

Timetable:

Action	Date	FR Cite
Request for Comments	03/01/99	64 FR 9961
Comment Period End	04/30/99	
Agency Decision	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 2127-AH57

2688. UPPER INTERIOR IMPACT**Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.201

Legal Deadline: None

Abstract: At the request of the manufacturers' organizations, the agency is proposing to amend the upper interior impact requirements (1) to modify the minimum distance between certain targets on vertical surfaces inside a vehicle and (2) add new definitions and test procedures for new-style door frames and vertical seat belt mounting structures.

Timetable:

Action	Date	FR Cite
NPRM	04/05/00	65 FR 17843
NPRM Comment Period End	06/05/00	
NPRM Comment Period Extended	06/07/00	
NPRM Comment Period End	07/05/00	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AH61

DOT—NHTSA

Final Rule Stage

2689. REQUIREMENTS FOR LOW-SPEED VEHICLES (LSV)**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 565; 49 CFR 571.500**Legal Deadline:** None

Abstract: I response to petitions for reconsideration of the final rule published June 17, 1998 (63 FR 33194 RIN 2127-AG58). This amendment also announces that States and local government may issue their own performance specifications for equipment on LSVs, if the current standard does not include any performance requirements for that equipment. Finally, the notice announces the agency's intention to publish, in the near future, a proposal to establish performance requirements for the safety equipment of LSVs.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** State, Local

Agency Contact: Taylor Vinson, Senior Attorney, Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH69**2690. VEHICLES WITH RAISED ROOFS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.216**Legal Deadline:** None

Abstract: In response to petitions for reconsideration of a final rule published on April 27, 1999 (64 FR 22567, RIN 2127-AF40) that made testing more suitable for vehicles with raised or sloped roof structures, the

petitioners requested that the agency modify the portion of the rule that pertains to raised roof vehicles, particularly those vehicles used for transporting disabled persons. The petitioners claim that the test plate position requirement for these vehicles causes the plate's rear edge to contact the raised roof structure in a manner which causes abnormal penetration and failure.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/31/00	65 FR 4579
Action Effective	01/31/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 2127-AH74**2691. INTERIOR TRUNK RELEASE****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.401**Legal Deadline:** None

Abstract: During the summer of 1998, 11 children died when they were trapped inside car trunks. The agency has proposed to require that trunks have an interior release mechanism that can be operated by children to prevent future tragedies.

Timetable:

Action	Date	FR Cite
NPRM	12/17/99	64 FR 70672
NPRM Comment Period End	02/15/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Congress required the agency to provide a report

on the benefits of an interior trunk release no later than December 1999. This proposed rulemaking will follow up on that report.

Agency Contact: Richard L. Van Iderstine, Division Chief, Visibility and Control Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-5280

RIN: 2127-AH83**2692. SCHOOL BUS BODY JOINT STRENGTH****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.221**Legal Deadline:** None

Abstract: In response to petitions for reconsideration of a final rule published on November 5, 1998 (63 FR 59732 RIN 2127-AC19) which extended the applicability of Standard No. 221, school bus body joint strength, to school buses with a gross vehicle weight rating (GVWR) of 10,000 pounds or less, narrowed an exclusion of maintenance access panels from the requirements of the standard, and revised testing requirements, the agency is considering amending the definition of bus body and allowing for the testing of surrogate bus body joint. Changing the definition could exclude those joints in the van cutaway chassis and enhance the possibility of allowing van cutaways to be manufactured into school buses.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/06/00	65 FR 11751
Interim Final Rule Effective	04/05/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: In response to petitions for reconsideration, this final rule extends the effective date of the November 5, 1998, final rule. Other issues are still under consideration.

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and

DOT—NHTSA

Final Rule Stage

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RIN: 2127-AH84

2693. BONFIRE TEST PROCEDURE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 303; 49 CFR 304

Legal Deadline: None

Abstract: In response to petitions for reconsideration of a final rule published November 24, 1995 (60 FR 57943, RIN 2127-AF14) which amended the labeling requirements and the bonfire test requirements in standard No. 304, the agency is revising these test requirements. The agency has determined that the 1995 procedures are not technically feasible because the required thermocouple temperatures may not be reached during the test. The new test procedures are based on the Compressed Natural Gas (CNG) industries latest revision of NGV2.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AH94

2694. • CHILD RESTRAINT ANCHORAGE SYSTEMS—PART 2

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.225

Legal Deadline: None

Abstract: This action responds to several petitions for reconsideration concerning long-term testing procedures regarding the strength and other issues of universal child restraint anchors. These requirements were established by the final rule on universal child restraint anchorages published on March 5, 1999 (64 FR 10785, RIN 2127-AG50). An earlier action (RIN 2127-AH65) responded to other issues raised by the petitions.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AH99

2695. • HYBRID III TYPE 6-YEAR-OLD SIZE TEST DUMMY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572

Legal Deadline: None

Abstract: The agency is responding to petitions for reconsideration of our final rule published January 13, 2000 (65 FR 2059, RIN 2127-AG76) which established design and performance specifications for a new, more advanced 6-year-old child dummy.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AI00

2696. • FIFTH PERCENTILE FEMALE TEST DUMMY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572

Legal Deadline: None

Abstract: The agency is responding to petitions for reconsideration of our final rule published March 1, 2000 (65 FR 10961, RIN 2127-AG66) which adopted the Hybrid III small female size dummy.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AI01

2697. • HYBRID III TYPE 3-YEAR-OLD SIZE TEST DUMMY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572

Legal Deadline: None

Abstract: The agency is responding to petitions for reconsideration of our final rule published March 22, 2000 (65

DOT—NHTSA

Final Rule Stage

FR 15254, RIN 2127-AG77) which established design and performance specifications for a new, more advanced 3-year-old child dummy.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI02

2698. • LABEL PLACEMENT ON REAR IMPACT GUARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.223

Legal Deadline: None

Abstract: In response to petitions for rulemaking, the agency is publishing a technical amendment to allow trailer manufacturers additional flexibility in the placement of the permanent label on the guard to minimize the probability that the label will be exposed to conditions - environmental, operationa, or otherwise - that may damage or destroy the guard while maintaining a location that is easily accessible and visible for inspection and enforcement purposes. Other portions of the petitions are denied.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway

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RIN: 2127-AI04

2699. • HIGH-THEFT LINES FOR MODEL YEAR 2002

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 33104

CFR Citation: 49 CFR 541

Legal Deadline: None

Abstract: The agency is listing the likely high-theft vehicle lines that are subject to the parts-marking requirements of the theft prevention standard and high-theft lines that are exempted from the parts-marking requirements for model year 2002.

Timetable:

Action	Date	FR Cite
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AI08

2700. • +ADVANCED AIR BAGS

Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: The agency is responding to petitions for reconsideration of our final rule published May 12, 2000 (65 FR 30679, RIN 2127-AG70) which required future air bags be designed to create less risk of serious air bag-induced injuries that current air bags, particularly for small women and young children; and provided improved frontal crash protection for all

occupants, by means that included advanced air bag technology. This action is considered significant because of substantial public interest and controversy.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AI10

2701. • SCHEDULE OF FEES AUTHORIZED BY 49 USC 30141

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30141

CFR Citation: 49 CFR 594

Legal Deadline: Final, Statutory, October 2000, Revised Fee Must be Established Before Fiscal Year Begins.

Abstract: Periodic Revision of Registered Importer Fees

Authorized by 49 U.S.C. 30141

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2127-AI11

DOT—NHTSA

Final Rule Stage

2702. • IMPORTATION OF VEHICLES AND EQUIPMENT SUBJECT TO FEDERAL MOTOR VEHICLE (FMV) SAFETY, BUMPER AND THEFT PREVENTION STANDARDS AND OF VEHICLES NOT ORIGINALLY MANUFACTURED TO CONFORM TO FMV STANDARDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30141**CFR Citation:** 49 CFR 593**Legal Deadline:** None**Abstract:** Amends list of vehicles not originally manufactured to conform to all applicable FMVSS that NHTSA has decided are eligible for importation.**Timetable:**

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Stephen Wood, Division Chief, Rulemaking Division,

Office of the Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-2992

RIN: 2127-AI12**2703. • LISTING OF NONCONFORMING VEHICLES ELIGIBLE FOR IMPORTATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30141**CFR Citation:** 49 CFR 593**Legal Deadline:** None**Abstract:** This final action amends the list of vehicles not originally manufactured to conform to all applicable Federal motor vehicle safety standards that the agency has decided to be eligible for importation. This list is published as an appendix to the regulation that establish the procedures through which the agency makes import eligibility decisions. The amendment will add to the list all

vehicles that the agency has decided to be eligible for importation since the list was last published on October 1, 1999.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Because this rule only furnishes information and imposes no regulatory requirement, the agency has good cause to dispense with a notice of proposed rulemaking to solicit comments on the rule.**Agency Contact:** Coleman R. Sachs, Trial Attorney, Office of Chief Counsel, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5263
Email: csachs@nhtsa.dot.gov**RIN:** 2127-AI17

Department of Transportation (DOT)

Long-Term Actions

National Highway Traffic Safety Administration (NHTSA)

2704. +CRASHWORTHINESS RATINGS**Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 5**Legal Deadline:** None**Abstract:** This action would require manufacturers to disseminate crashworthiness performance information concerning their cars to the public, to provide consumers with comparative information on the crashworthiness performance of new car models. This rulemaking is considered significant because of the impact on manufacturers, the interest shown by consumers, and the potential significant effects on the automotive marketplace. The agency has requested public comments on the National Academy of Sciences (NAS) study titled "Shopping for Safety - Providing Consumer Automotive Safety Information," (TRB Special Report 248) and how that study should be reflected in the agency's decision on whether,

and if so, how, to proceed with a crashworthiness rating for automobiles.

Timetable:

Action	Date	FR Cite
NPRM	01/22/81	46 FR 7025
NPRM Comment Period End	04/22/81	46 FR 7025
Request for Comments	05/20/97	62 FR 27648
Comment Period End	08/18/97	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Mary Versailles, Office of Planning and Consumer Programs, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2057**RIN:** 2127-AA03**2705. +FLAMMABILITY OF INTERIOR MATERIALS—SCHOOL BUSES****Priority:** Other Significant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.302**Legal Deadline:** None**Abstract:** Advance Notice of Proposed Rulemaking requested comments regarding possible upgrade of Standard 302 to reduce the risk of fire to school bus occupants. This rulemaking is significant because of substantial public interest.**Timetable:**

Action	Date	FR Cite
ANPRM	11/04/88	53 FR 44627
ANPRM Comment Period End	01/03/89	
Request for Comments	02/26/91	56 FR 7826
Comment Period End	04/29/91	
Next Action Undetermined		

DOT—NHTSA

Long-Term Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 2127-AA44
2706. CERTIFICATION REQUIREMENTS OF MULTISTAGE VEHICLES
Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 567; 49 CFR 568; 49 CFR 1.50

Legal Deadline: None

Abstract: The agency proposed to amend the certification requirements that apply to incomplete vehicles other than chassis-cabs. Incomplete vehicles are vehicles that include at least a frame and chassis structure, power train, steering system, suspension system, and brake system, but need further manufacturing performed on them to become completed vehicles. The agency proposed to extend the certification requirements currently applying to chassis-cabs to all types of incomplete vehicles. The agency recognizes that manufacturers who build vehicles in more than one stage are faced with somewhat different problems than manufacturers who build vehicles in a single stage, especially when it comes to certifying vehicles to meet Federal Motor Vehicle Safety Standards. The agency held a public meeting to listen to the views of these groups and others with respect to improving the vehicle certification process. The agency has established a negotiated rulemaking advisory committee to develop recommended amendments to the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/03/91	56 FR 61392
NPRM Comment Period End	01/31/92	

Action	Date	FR Cite
Announced Public Meeting	11/17/95	60 FR 57694
Notice of Intent	05/20/99	64 FR 27499
Notice of Formation of Advisory Committee	11/26/99	64 FR 66447
Notice of Meetings	02/07/00	65 FR 5847
Notice	04/19/00	65 FR 20936
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: The agency has published a list of scheduled meetings.

ANALYSIS: Regulatory Evaluation, 12/03/91, 56 FR 61392

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RIN: 2127-AE27**2707. REVIEW: ODOMETER FRAUD****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 580**Legal Deadline:** None

Abstract: This review involves analysis of the incident rates and costs of odometer fraud and an assessment of State and Federal efforts to combat odometer fraud. To complete this review, the agency has requested permission to collect a sample of odometer readings of registered passenger cars that are less than 10 years old from vehicle dealers, distributors, vehicle title files, and State Department of Motor Vehicle agencies. Congress has directed the agency to conduct this review.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/95	
Collection of Information	09/23/96	61 FR 49809
Comment Period End	11/11/96	
Collection of Information	06/06/97	62 FR 31186

Action	Date	FR Cite
Comment Period End	07/07/97	
End Review	11/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 2127-AF53
2708. +REVIEW: SIDE IMPACT PROTECTION
Priority: Other Significant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.214**Legal Deadline:** None

Abstract: This standard requires passenger cars manufactured after September 1, 1996, to provide occupant protection when impacted in the side by a moving deformable barrier. The agency has compared the actual risk of occupant injury in side impact crashes of cars meeting the standard to the risk in pre-standard cars. The cost of the standard has been estimated. The Technical Report has been published. This regulation was selected for review because of its costs, potential benefits, and public interest.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/94	
Technical Report: Phase I	12/08/99	64 FR 68717
Comment Period End	04/06/00	
End Review	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Additional Information: The Phase I evaluation report indicates that the test injury criterion TTI(d) has a statistically significant association with fatality risk in actual side-impact crashes on the highway. In model years 1981-93 cars, make models with low TTI(d) on the

DOT—NHTSA

Long-Term Actions

Federal motor vehicle safety standard no. 214 test tend to have low fatality risk.

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RIN: 2127-AF54

2709. DOOR LATCH EXEMPTION FOR VEHICLES EQUIPPED WITH WHEELCHAIR LIFTS AND RAMPS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.206

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is proposing to modify the "Door Locks and Door Retention Components" requirements by exempting vehicles with wheelchair ramps and to establish uniform requirements for vehicles with wheelchair lifts and ramps. These modifications are necessary because of changes in the types of vehicles equipped with wheelchair lifts/ramps and changes in lift/ramp structural designs which have come to pass in recent years. Petition was granted.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: On 05/31/96 (61 FR 27325), the agency published a grant notice. The agency believes that the suggested changes made by the petitioner merit additional study and research. The agency is currently conducting research to determine if door latch exemptions are still necessary. Simultaneously, the agency

is developing a door latch procedure for sliding doors.

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RIN: 2127-AG16

2710. REVIEW: AMERICAN AUTOMOBILE LABELING ACT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 32304

CFR Citation: 49 CFR 583

Legal Deadline: None

Abstract: The American Automobile Labeling Act requires new passenger cars and light trucks, beginning October 1, 1994, to bear labels providing information on the extent to which their parts are of domestic origin. The objective of this review is to determine the extent to which new-vehicle buyers know about, understand and use this information, and to estimate the effect of the labels on vehicle production and sales.

Timetable:

Action	Date	FR Cite
Begin Review	12/01/95	
Collection of Information	07/24/97	62 FR 39886
Comment Period End	09/22/97	
Collection of Information	02/18/98	63 FR 8249
Collection of Information	02/26/98	63 FR 9897
End Review	11/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 2127-AG18

2711. UPGRADE ROOF CRASHWORTHINESS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.216

Legal Deadline: None

Abstract: In response to a petition for rulemaking, the agency is considering whether to upgrade the roof crashworthiness particularly since a larger percentage of American vehicles consist of light duty and utility vehicles, a class of vehicles more prone to rollover accidents. Petition was granted.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 2127-AG51

2712. REVIEW: CHILD SAFETY SEAT REGISTRATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213; 49 CFR 588

Legal Deadline: None

Abstract: This evaluation involves analysis of the effectiveness of registering child safety seats to increase response to reports of recalled seats. This regulation was selected for review because of public interest in child passenger safety.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/97	
End Review	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

DOT—NHTSA

Long-Term Actions

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RIN: 2127-AG93

2713. REVIEW: AIR BAG ON-OFF SWITCHES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 40 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: This standard allows passenger vehicles to be equipped with an on-off switch for the right front passenger air bag if the rear seat cannot accommodate a rear-facing infant seat. The standard also enables vehicle owners to obtain an on-off switch for their passenger and/or driver air bag if they transport people who should not be exposed to an air bag deployment. The agency will determine, by observation of vehicles in use, the percentage of on-off switches that are being correctly used. This regulation was selected for review because of its public interest and potential benefit.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/98	
End Review	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2127-AH12

2714. REVIEW: REDESIGNED AIR BAGS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.208

Legal Deadline: None

Abstract: This standard was temporarily amended to make the unbelted test for vehicles with air bags less stringent and, in effect, make it easier for manufacturers to quickly depower their air bags. Redesign air bags are likely to benefit out-of-position occupants and reduce drivers' arm injuries, but they might be less effective than earlier air bags for some occupants. This regulation was selected for review because of public interest, potential benefits, and possibility of higher risk for some vehicle occupants.

Timetable:

Action	Date	FR Cite
Begin Review	05/01/98	
End Review	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH13

2715. USE OF UNIVERSAL CHILD SEATS IN AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: This action responds to a concern expressed by the Federal Aviation Administration (FAA) regarding some new universal child seats that may be equipped with rigid connectors or prongs. FAA believes that if a universal child seat equipped with non-folding, non-retracting rigid

connectors or prongs were installed on an aircraft seat, the connectors or prongs might damage the aircraft seat cushions and might protrude into the leg space and egress path of the passenger sitting immediately behind the child seat.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: See RIN 2127-AG50 for the Uniform Child Restraint Anchorage Systems rule.

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RIN: 2127-AH56

2716. • REVIEW: ANTILOCK BRAKE SYSTEMS FOR HEAVY TRUCKS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.105; 49 CFR 571.121

Legal Deadline: None

Abstract: These standards require antilock brake systems (ABS) on truck-tractors manufactured after March 1, 1997, semi-trailers and single-unit trucks equipped with air brakes after March 1, 1998, and single-unit trucks over 10,000 pounds GVWR equipped with hydraulic brakes after March 1, 1999. The agency will study the influence of ABS on crash involvement rates and estimate the cost of ABS. These regulations were selected for review because of their costs, potential benefits, and public interest.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/00	
End Review	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

DOT—NHTSA

Long-Term Actions

Government Levels Affected: None

Agency Contact: Charles J. Kahane, Chief, Evaluation Division, Office of Plans and Policy, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2127-AI14**2717. • REVIEW: REAR IMPACT GUARDS FOR TRUCK TRAILERS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.223; 49 CFR 571.224**Legal Deadline:** None

Abstract: These standards set requirements for the geometry, configuration, strength, and energy absorption capability of rear impact guards on full trailers and semi-trailers over 10,000 pounds GVWR manufactured after January 26, 1998. The agency will study the influence of these guards on injuries in passenger vehicles that rear-impact trailers. The cost of the standards will also be estimated. These regulations were selected for review because of their costs, potential benefits, and public interest.

Timetable:

Action	Date	FR Cite
Begin Review	04/15/00	
End Review	12/00/04	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses**Government Levels Affected:** None

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RIN: 2127-AI15

Department of Transportation (DOT)

Completed Actions

National Highway Traffic Safety Administration (NHTSA)

2718. +ROLLOVER PROTECTION**Priority:** Other Significant**Legal Authority:** 49 CFR 1.50**CFR Citation:** None**Legal Deadline:** None

Abstract: The agency believes that consumer information on the rollover risk of passenger cars and light multipurpose passenger vehicles and trucks would reduce the number of injuries and fatalities from rollover crashes. This information would enable prospective purchasers to make choices about new vehicles based on differences in rollover risk and serve as a market incentive to manufacturers in striving to design their vehicles with greater rollover resistance. The agency has tentatively decided that the Static Stability Factor should be used to indicate overall rollover risk in single-vehicle crashes. This document seeks comment on whether the information should be presented as part the the agency's New Car Assessment Program (NCAP). This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	01/03/92	57 FR 242
ANPRM Comment Period End	04/03/92	
NPRM	06/28/94	59 FR 33254

Action	Date	FR Cite
Correction	07/26/94	59 FR 38038
NPRM Comment Period End	08/05/96	
Petition Grant	05/20/97	62 FR 27578
Agency Decision	06/01/00	65 FR 34998
Comment Period End	07/31/00	
Comment Period Extended	08/01/00	65 FR 46884
Comment Period End	08/30/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Additional Information: A notice of availability of a planning document for this rulemaking was published 09/29/92 (57 FR 44721). As part of its comprehensive efforts to address the problem of light vehicle rollover, the agency proposed a new consumer information regulation that would require that passenger cars, and light multipurpose passenger vehicles and trucks be labeled with information about their resistance to rollover. In the NPRM, the agency terminated rulemaking to establish a vehicle stability standard. The agency denied petitions for reconsideration of this termination on 06/05/96 (61 FR 28560). The comment period for the NPRM was reopened after publication of a related study by the National Academy of Sciences (NAS). (This notice was

inadvertently published under RIN 2127-AC54.) At the same time the agency published the grant notice on the petition for rulemaking, NHTSA published, in a separate notice, its response to the NAS study and requested comments by 08/18/97 (05/20/97 62 FR 27578). See RIN 2127-AG53 for related information on warning labels for sport utility vehicles.

ANALYSIS: Regulatory Evaluation, 06/28/94, 59 FR 33254

Agency Contact: Mike Pyne, Safety Standards Engineer, Office of Crash Avoidance, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4171

RIN: 2127-AC64**2719. ELECTRIC VEHICLE SAFETY****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 1.50; 49 CFR 501.8; 49 CFR 571.305

Legal Deadline: None

Abstract: The agency has proposed to regulate electric vehicles (EVs) with respect to battery electrolyte spillage in

DOT—NHTSA

Completed Actions

a crash or rollover, and electric shock hazard in a crash or rollover, and during repair and maintenance and establish a new Federal motor vehicle safety standard no. 305 titled "Electric-powered vehicles: electrolyte spillage and electric shock protection."

Timetable:

Action	Date	FR Cite
Request for Comments	09/30/94	59 FR 49901
Comment Period End	11/29/94	
NPRM	10/13/98	63 FR 54652
NPRM Comment Period End	11/27/98	
Final Rule	09/27/00	65 FR 57980

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AF43

2720. TRANSITION PROCEDURES FROM CURRENT TO NEW NATIONAL DRIVER REGISTER

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 23 USC 401

CFR Citation: 23 CFR 1325, 1327

Legal Deadline: Final, Statutory, February 6, 1997.

Abstract: In response to the President's Regulatory Reinvention Initiative, the agency proposed removing the regulation on procedures for transition to the National Driver Register (NDR). It also proposed amending portions of the regulation on participation in the NDR Problem Driver Pointer System (PDPS). These portions pertain to the steps States were to follow to notify the NDR of their interest in participating in the NDR under PDPS. Now that the transition to the new NDR has been completed, the agency has removed these provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/17/96	61 FR 16729
NPRM Comment Period End	06/03/96	
Final Action	07/25/00	65 FR 45714

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State

Additional Information: NPRM incorrectly printed under RIN 2127-AG21.

Agency Contact: William Holden, Division Chief, Driver Register and Traffic Records Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4800

RIN: 2127-AG68

2721. +ADVANCED AIR BAGS

Priority: Economically Significant. Major under 5 USC 801.

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 552; 49 CFR 571.208; 49 CFR 582; 49 CFR 595

Legal Deadline: Final, Statutory, March 1, 2000.

Abstract: The agency has amended the occupant crash protection standard to require that future air bags be designed to create less risk of serious air bag-induced injuries than current air bags, particularly for small women and young children; and provide improved frontal crash protection for all occupants, by means that include advanced air bag technology. This action is considered significant because of the degree of congressional and public interest in this subject and because of potential costs.

Timetable:

Action	Date	FR Cite
NPRM	09/18/98	63 FR 49957
Notice of Public Meeting	10/26/98	63 FR 57091
NPRM Comment Period End	12/17/98	

Action	Date	FR Cite
Notice of Technical Workshop	03/23/99	64 FR 13947
SNPRM	11/05/99	64 FR 60556
Final Action	05/12/00	65 FR 30679
Final Action Effective	06/12/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: A technical workshop was held February 11 and 12, 1997, in Washington, DC. The NPRM responded to the petitions received for reconsideration on the final rule published for Depowering of Air Bags, RIN 2127-AG59 and Passenger-Side Manual Cutoff Switch for Air Bags, RIN 2127-AG60.

Public meetings to discuss technical issues relating to this NPRM were held on November 23 and 24, 1998. Also, biomechanics meetings were held on April 20 and 21, 1999.

ANALYSIS: Regulatory Evaluation, 09/18/98, 63 FR 49957

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RIN: 2127-AG70

2722. HYBRID III TYPE 3-YEAR-OLD SIZE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572; 49 CFR 571.208; 49 CFR 571.213

Legal Deadline: None

Abstract: The agency has established specifications for a new Hybrid III type 3-year-old size test dummy for possible use in test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard Nos. 208 and 213. The new test dummy and procedures will be used to facilitate the development and introduction of new advanced air bags and other types of advanced restraints technologies for crash protection of smaller size

DOT—NHTSA

Completed Actions

children in a variety of automobile crash impacts.

Timetable:

Action	Date	FR Cite
NPRM	01/28/99	64 FR 4385
NPRM Comment Period End	03/29/99	
Final Action	04/22/00	65 FR 15254
Final Action Effective	05/22/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG77

2723. CRABI 12-MONTH-OLD SIZE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 572; 49 CFR 571.208; 49 CFR 571.213

Legal Deadline: None

Abstract: The agency is proposing specifications for a new CRABI 12-month-old size test dummy for possible use in test procedures being proposed in amendments to Federal Motor Vehicle Safety Standard Nos. 208 and 213. The new test dummy and procedures are being proposed to facilitate the development and introduction of new advanced air bags and other types of advanced forward and rearward facing child restraints technologies, as well as protection of smaller size children in car beds in a variety of automobile crash impacts.

Timetable:

Action	Date	FR Cite
NPRM	03/08/99	64 FR 10965
NPRM Comment Period End	04/22/99	
Final Action	03/31/00	65 FR 17180
Final Action Effective	05/30/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stanley Backaitis, Engineer, Office of Crashworthiness Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG78

2724. UNIFORM TIRE QUALITY GRADING TEST PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 30123

CFR Citation: 49 CFR 575.104

Legal Deadline: None

Abstract: The agency has modified the test procedures for tire treadwear under the Uniform Tire Quality Grading (UTQG) Standard. This change is intended to stabilize the unwarranted increases in treadwear grades by modifying the procedures for calibrating and selecting course monitoring tires. No change to the existing treadwear grade levels is anticipated.

Timetable:

Action	Date	FR Cite
NPRM	06/05/98	63 FR 30695
Extension of Comment Period	08/04/98	63 FR 41538
NPRM Comment Period End	10/05/98	
Final Action	05/24/00	65 FR 33481
Final Action Effective	07/24/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AG96

2725. PUBLIC PARTICIPATION IN ACTIVITIES RELATING TO THE AGREEMENT ON GLOBAL TECHNICAL REGULATIONS: STATEMENT OF POLICY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 551

Legal Deadline: None

Abstract: The agency has solicited public comments on a draft statement of policy concerning procedures for facilitating public participation in the agency's activities relating to the implementation of the pending United Nations/Economic Commission for Europe (UN/ECE) Agreement on Global Technical Regulations. On February 3, 1999, the agency held a public workshop to solicit views from the public on the draft policy statement. The agency is considering its next action which will be based on its review of all of the public comments it has received.

Timetable:

Action	Date	FR Cite
Notice of Public Workshop	01/05/99	64 FR 563
Comment Period End	02/18/99	
Agency Decision	08/23/00	65 FR 51236

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Julie Abraham, Director, Office of International Harmonization, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-1455

RIN: 2127-AH29

2726. ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-178, sec 2004

CFR Citation: 23 CFR 1313

Legal Deadline: None

Abstract: An interim final rule was published to implement changes mandated by TEA 21 to the Section 410 impaired driving countermeasures grant

DOT—NHTSA

Completed Actions

program. New incentive grant programs include incentives for graduated licensing programs, anti-drunk driving programs aimed at young adults, increased sanctions for drivers with high blood alcohol levels, and increased alcohol testing for drivers involved in fatal accidents. The rulemaking also established an alternative incentive program in which states may qualify for grants by demonstrating reductions in fatally injured drivers with blood alcohol concentrations above .10. The rulemaking also provided for supplemental grants for those states qualifying for a basic grant. These supplemental grant programs added provisions aimed at reducing operation with suspended licenses and improving detection and conviction of drunk drivers. Appropriated for use in this program were the following: \$30.6 million for FY 1998, \$28.5 million for FY 1999, \$29.3 million for FY 2000, \$30.1 million for FY 2001, \$38.7 million for FY 2002, and \$39.8 million for FY 2003. An interim final rule, with immediate effectiveness, because its criteria applied to States seeking to receive funds beginning on October 1, 1998. A final has been published.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/29/98	63 FR 71687
Interim Final Rule Effective	01/28/99	
Comment Period End	03/01/99	
Final Action	07/28/00	65 FR 46344
Final Action Effective	07/28/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Tribal

Agency Contact: Marlene Markison, Chief, Program Support, Office of State and Community Services, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2121

RIN: 2127-AH42**2727. EXTENSION OF COMPLIANCE DATE FOR ABS MALFUNCTION INDICATOR LAMP****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.105**Legal Deadline:** None

Abstract: In response to a petition for rulemaking received on October 20, 1998, the agency is extending the compliance date of the antilock brake system (ABS) malfunction indicator lamp activation protocol from March 1, 1999, to September 1, 1999. Because the original compliance date was so close, an interim final rule was published in order to notify interested parties as quickly as possible of the extension of that compliance date. The compliance date is now in effect. Therefore, no further notice is necessary.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/26/99	64 FR 9446
Interim Final Rule Effective	02/26/99	
Comment Period End	04/27/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** No further action is necessary.

Agency Contact: George Soodoo, Division Leader, Vehicle Dynamics Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2720
Fax: 202 366-4329
Email: gsoodoo@nhtsa.dot.gov

RIN: 2127-AH55**2728. SIDE IMPACT PROTECTION TEST PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC S 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC S 30166**CFR Citation:** 49 CFR 571.214; 49 CFR 572; 49 CFR 587**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, this notice grants the portion of the petition requesting that the agency open a rulemaking proceeding to consider replacing the side impact test dummy currently specified in the U.S. standard with an improved version of the dummy specified in the European regulation. The agency denies the remainder of the petition.

Timetable:

Action	Date	FR Cite
Decision on Petitions	05/24/00	65 FR 33508

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Clarke Harper, Division Chief, Light Duty Vehicle Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-2264
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RIN: 2127-AH66**2729. COMPRESSED NATURAL GAS FUEL CONTAINER INTEGRITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166**CFR Citation:** 49 CFR 571.304**Legal Deadline:** None

Abstract: A final rule published on December 3, 1998 (63 FR 66762, RIN 2127-AF51) deleted the material and manufacturing process requirements for compressed natural gas fuel containers. As part of that final rule, the agency amended the provisions relating to the hydrostatic burst test to remove any reference to the deleted requirements. Those amendments also inadvertently amended the hydrostatic burst test requirement to require the stress ratio to be applied as a pressure ratio. The agency corrects that error and thereby moots requests related to that amendment in several petitions for reconsideration of the 1998 final rule.

Timetable:

Action	Date	FR Cite
Final Action	08/25/00	65 FR 51769
Final Action Effective	08/25/00	

DOT—NHTSA

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 2127-AH72**2730. THEFT DATA FOR CALENDAR YEAR 1998****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 33104(b)(4)**CFR Citation:** 49 CFR 541**Legal Deadline:** None

Abstract: The agency has published the final data on passenger motor vehicle thefts that occurred in calendar year (CY) 1998 for model year (MY) 1998 vehicles. Publication of this data fulfills the agency's obligation to periodically obtain accurate and timely theft rate data and publish the information for review and comment.

Timetable:

Action	Date	FR Cite
Request for Comment	02/08/00	65 FR 6250
Comment Period End	04/10/00	
Final Action	06/30/00	65 FR 40721

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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Phone: 202 366-0846

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RIN: 2127-AH76**2731. INSURER REPORTING REQUIREMENTS FOR OCTOBER 2000****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 33112**CFR Citation:** 49 CFR 544**Legal Deadline:** None

Abstract: The agency has to updated the list of passenger motor vehicle insurers that are required to file reports to the agency on their motor vehicle theft loss experience. Each insurer listed must file a report for the 1997 calendar year not later than October 25, 2000. Further, as long as the insurer remains listed, it must submit reports by each subsequent October 25.

Timetable:

Action	Date	FR Cite
NPRM	04/07/00	65 FR 18267
NPRM Comment Period End	06/06/00	
Final Action	08/14/00	65 FR 49505
Final Action Effective	08/14/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs Division, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590

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RIN: 2127-AH77**2732. HIGH-THEFT LINES FOR MODEL YEAR 2001****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 33104**CFR Citation:** 49 CFR 541**Legal Deadline:** None

Abstract: This action lists the vehicle lines that are subject to the parts-marking requirements of the theft prevention standard, as well as, high-theft lines that re exempted from the parts-marking requirements for model year (MY) 2001.

Timetable:

Action	Date	FR Cite
Final Action	05/26/00	65 FR 34106
Final Action Effective	05/26/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Rosalind Proctor, Division Chief, Consumer Programs

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RIN: 2127-AH78**2733. ALTERNATIVE COMPLIANCE OPTIONS****Priority:** Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 571.225; 49 CFR 596

Legal Deadline: None

Abstract: The agency has extended the time period in which vehicle manufacturers are permitted to meet alternative compliance options as stated in the final rule published on August 31, 1999 (64 FR 47565, RIN 2127-AH65). By continuing to allow manufacturers to meet these alternative requirements, the agency has enabled manufacturers to provide child restraint anchorage systems in vehicles as quickly as possible instead of forcing some manufacturers to remove some anchorages that do not meet the more stringent requirements. The agency maintains that the presence of uniform anchorages - even those meeting lesser requirements than prescribed in the standard - will provide an improvement to parents who have difficulty attaching a child restraint correctly in a vehicle or whose vehicle seats are incompatible with child restraints.

Timetable:

Action	Date	FR Cite
Final Action	07/31/00	65 FR 46628
Final Action Effective	08/30/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: Other issues raised by the petitioners are being addressed in RIN 2127-AH65 - Child Restraint Anchorage Systems - Part 1 and RIN 2127-AH85 - Stowable or Fold-Away Child Restraint Anchorages.

Agency Contact: George Mouchahoir, Team Leader, Special Vehicles and Systems Division, Department of

DOT—NHTSA

Completed Actions

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RIN: 2127-AH86

2734. CHILD RESTRAINT SYSTEMS (COMPLETION OF A SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant

Legal Authority: PL 96-354, sec 610; EO 12866

CFR Citation: 49 CFR 571.213

Legal Deadline: None

Abstract: The agency is conducting a review of the Child Restraint Systems standard to determine whether this rule should be maintained without change, rescinded, or modified in order to make it more effective or less burdensome in achieving its objectives. This review also is being conducted to determine whether the rule can become more consistent with the objectives of the Regulatory Flexibility Act to achieve regulatory goals while imposing as few burdens as possible on small entities.

Timetable:

Action	Date	FR Cite
Request for Comments	02/01/00	65 FR 4834
End Review	08/09/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: The agency is closing its Section 610 review of the Child Restraint Systems Standard. No comments were received on the impact of small businesses.

Agency Contact: Nita Kavalauskas, Office of Regulatory Analysis and Evaluation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590
 Phone: 202 366-2584
 Fax: 202 366-2559

RIN: 2127-AH90

2735. OFFSET DEFORMABLE BARRIER

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 322; 49 USC 30111; 49 USC 30115; 49 USC 30117; 49 USC 30166

CFR Citation: 49 CFR 587

Legal Deadline: None

Abstract: The agency is considering establishing frontal offset crash test requirements. The frontal offset test would use a deformable honeycomb barrier to assess a vehicle's occupant protection capabilities. This rule would establish the specifications for the deformable honeycomb barrier. The proposed specifications were included in the NPRM for Advanced Air Bags (RIN 2127-AG70). However, the agency decided to publish the final rule for the offset deformable barrier as a separate regulatory action.

Timetable:

Action	Date	FR Cite
NPRM	09/18/98	63 FR 49957
Final Rule	03/31/00	65 FR 17196
Final Action Effective	05/01/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2127-AH93

2736. +LIGHT TRUCK FUEL ECONOMY STANDARDS FOR MODEL YEAR 2002

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 49 USC 329

CFR Citation: 49 CFR 533

Legal Deadline: None

Abstract: The agency is establishing the fuel economy standards for manufacturers of light truck fleets for model year 2002. At the direction of Congress, the standard is the same as the 20.7 mpg previously established for MY 2001. Therefore, there is no need

for a notice of proposed rulemaking. This action is considered significant because of substantial public interest.

Section 322 of the FY 2000 DOT Appropriations Act precludes the agency from expending any funds to prepare, propose, or promulgate any fuel economy standards that differs from those currently in effect. The agency cannot consider any other alternative standards that may result in lower costs, lesser burdens, or more cost-effectiveness for state, local or tribal governments or the private sector. The agency has, therefore, not prepared a written assessment of this rule for the purposes of the Unfunded Mandates Act.

Timetable:

Action	Date	FR Cite
Final Action	04/05/00	65 FR 17776
Final Action Effective	06/05/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2127-AH95

2737. • SCHOOL BUS SAFETY STANDARDS (SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant

Legal Authority: PL 96-354, sec 610; EO 12866

CFR Citation: 49 CFR 571.131; 49 CFR 571.217; 49 CFR 571.220; 49 CFR 571.221; 49 CFR 571.222

Legal Deadline: None

Abstract: The agency is conducting a review of the school bus safety standards to determine whether these rules should be maintained without change, rescinded, or modified in order to make them more effective or less burdensome in achieving their objectives. This review also is being conducted to determine whether the rules can become more consistent with the objectives of the Regulatory Flexibility Act to achieve regulatory

DOT—NHTSA

Completed Actions

goals while imposing as few burdens as possible on small entities.

Timetable:

Action	Date	FR Cite
Begin Review	08/09/00	
End Review	09/13/00	65 FR 55212

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Nita Kavalauskas, Office of Regulatory Analysis and Evaluation, Department of

Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590

Phone: 202 366-2584

Fax: 202 366-2559

RIN: 2127-AI16

Department of Transportation (DOT)
Federal Railroad Administration (FRA)

Prerule Stage

**2738. +HOURS OF SERVICE
 ELECTRONIC RECORDKEEPING
 PROJECT**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 228

Legal Deadline: None

Abstract: In 1994, the Federal Railroad Administration (FRA) launched a major project to facilitate maintenance of hours-of-service records and submission of "excess service" reports in an electronic, rather than a paper, format. FRA is proposing a model waiver to railroads interested in maintaining electronic records for train and engine service employees. These employees compose the vast majority of those subject to the statutory limitations on hours of service. This project will eventually lead to the formal revision of 49 CFR 228. This is considered significant due to public interest.

Timetable:

Action	Date	FR Cite
Grant or Deny Waiver Application	11/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: David Kasminoff, Trial Attorney, Mail Stop 10, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 493-6043

RIN: 2130-AB04

**2739. TOURIST AND HISTORIC
 WORKING GROUP REGULATORY
 REVIEW**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: None

Legal Deadline: None

Abstract: The Tourist and Historic Working Group of the Railroad Safety Advisory Committee was established to review existing and proposed regulations for their appropriate applicability to one segment of FRA's small business customers, the tourist and historic railroads. In addition, the group is examining FRA's policy with respect to exercise of jurisdiction over railroads off the general system of rail transportation.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/96	
End Review	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: This rulemaking represents a long-term effort to review existing and proposed regulations for their appropriate applicability to tourist and historic railroads. The group was created in April of 1996 and met on June 17 - 18, 1996. Thus far, the group has reviewed the Steam Locomotive standards and FRA's Accident/Incident Reporting standards and provided recommendations regarding their applicability to the tourist and historic railroad industry. (See Notice of Meeting, 61 FR 54698.) The group is anticipated to next review the final rules on Track Safety Standards, Rail Passenger Service: Emergency Preparedness, and Railroad Communications.

Agency Contact: Nancy Lummen Lewis, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 493-6047

RIN: 2130-AB12

Department of Transportation (DOT)
Federal Railroad Administration (FRA)

Proposed Rule Stage

**2740. LOCOMOTIVE CAB WORKING
 CONDITIONS**

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 229

Legal Deadline: Final, Statutory, March 3, 1995.

Abstract: The agency has proposed to address crew working conditions on

locomotives, pursuant to the Rail Safety Enforcement and Review Act (1992). FRA investigated a variety of locomotive working conditions, including sanitation, noise and

DOT—FRA

Proposed Rule Stage

temperature, and reported its findings to Congress. On October 31, 1996, the Railroad Safety Advisory Committee (RSAC) accepted a preliminary planning task to schedule handling of these issues, and established the Locomotive Crew Safety Working Group. The Working Group created a Noise Task Group and a Temperature Task Group, and those task groups are meeting to address employee exposure to noise and temperature extremes. The Working Group has met on several occasions and is addressing sanitation in locomotive cabs. This project was originally considered significant because of substantial public interest, however, because the rule is being developed through the RSAC process, the expected interest has not materialized. FRA is awaiting the advice and recommendations of RSAC before taking further regulatory action.

Timetable:

Action	Date	FR Cite
Open Meeting Notice	07/22/94	59 FR 37528
Report to Congress	09/18/96	
NPRM (Sanitation)	02/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** This action may have federalism implications as defined in EO 13132.

Additional Information: As originally proposed, this rulemaking addressed both crew working conditions on locomotives and the crashworthiness of locomotives. However, in anticipation of issuing two distinct rulemakings, FRA has separated crashworthiness of locomotives out from the original proposal (RIN 2130-AB23).

Agency Contact: Christine Beyer, Deputy Assistant Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW., Washington DC 20590
Phone: 202 493-6052

RIN: 2130-AA89**2741. +POSITIVE TRAIN CONTROL**

Regulatory Plan: This entry is Seq. No. 103 in Part II of this issue of the Federal Register.

RIN: 2130-AA94**2742. LOCOMOTIVE CRASHWORTHINESS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 229**Legal Deadline:** Final, Statutory, March 3, 1995.

Abstract: The agency has proposed to address the crashworthiness of locomotives pursuant to the Rail Safety Enforcement and Review Act (1992). FRA investigated locomotive crashworthiness, as well as a variety of locomotive working conditions (See RIN 2130-AA89) and reported its finding to Congress. On October 31, 1996, the Railroad Safety Advisory Committee (RSAC) accepted a preliminary planning task to schedule handling of these issues. The Locomotive Crew Safety Working Group met on January 23, 1997 to develop task statements that were forwarded to the full RSAC and accepted on June 24, 1997. Originally this project was considered significant, however, RASC has determined that important incremental changes in current design standards can be made without significant disruption or controversy.

Timetable:

Action	Date	FR Cite
Open Meeting Notice	07/22/94	59 FR 37528
Report to Congress	09/18/96	
NPRM	02/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** Undetermined

Additional Information: This rulemaking was originally included in RIN 2130-AA89, Locomotive Cab Working Conditions.

Agency Contact: David T. Matsuda, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6046

RIN: 2130-AB23**2743. ROADWAY EQUIPMENT SAFETY****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 214**Legal Deadline:** None

Abstract: FRA proposes to publish regulations governing operational and design safety of on-track equipment used by railroads for track maintenance. The regulations would cover self-propelled rail-mounted non-highway machines where light weight exceeds 7500 pounds. This rulemaking was requested by the Brotherhood of Maintenance-of-Way Employees (BMWE) as part of the organization's petition requesting revision of the track safety standards. FRA decided to respond to this portion of the BMWE petition in a rulemaking separate from the track safety standards revision. FRA is awaiting the advice and recommendations of RSAC before taking further regulatory action.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** Undetermined

Additional Information: This rulemaking is an off-shoot of the rulemaking to revise the track safety standards. FRA has changed the title of the current entry to the Unified Regulatory Agenda, which was originally entitled "Roadway Maintenance Machine Safety" to more accurately reflect what this action is expected to address.

Agency Contact: Nancy Lummen Lewis, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6047

RIN: 2130-AB28**2744. EVENT RECORDER CRASHWORTHINESS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 229**Legal Deadline:** None

Abstract: FRA will propose improvements in the crashworthiness of event recorders and will propose

DOT—FRA

Proposed Rule Stage

additional requirements for data capture and recording for event recorders installed in new and rebuilt locomotives. FRA is awaiting the advice and recommendations of RSAC before taking further regulatory action.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Thomas A. Phemister, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6050

RIN: 2130—AB34

2745. REVISION TO RAILROAD SAFETY ENFORCEMENT PROCEDURES

Priority: Info./Admin./Other

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 209

Legal Deadline: None

Abstract: This action will revise and update FRA's enforcement procedures to reflect a variety of changes that have taken place since they were last modified. The issues that this action is expected to address include the recodification of the railroad safety laws, changes in internal procedures, and changes in programs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Kathryn E. Shelton, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6063

RIN: 2130—AB35

2746. RULES OF PRACTICE

Priority: Info./Admin./Other

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 211

Legal Deadline: None

Abstract: This action will revise and update FRA's rulemaking procedures, and the procedures for participation in the rulemaking process, such as petitions for rulemaking, petitions for reconsideration, and petitions for waiver. These procedures will be modified to reflect the recodification of the railroad safety laws, and changes in the application of FRA's regulatory procedures that have developed over time.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Colleen A. Brennan, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6028

RIN: 2130—AB36

2747. +APPLICATION OF RANDOM TESTING AND OTHER ALCOHOL AND DRUG REGULATIONS TO EMPLOYEES OF FOREIGN RAILROADS

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20140

CFR Citation: 49 CFR 219

Legal Deadline: None

Abstract: This action would apply FRA's random testing and other alcohol and drug requirements to employees of a foreign railroad whose primary reporting point is outside the United States, who perform train service or dispatching service in the United States. Such employees are currently exempt from random testing, pre-employment testing, and requirements for employee self-referral and co-worker report policies. This action is

considered significant because of substantial inter-departmental concerns.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Patricia V. Sun, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6060

RIN: 2130—AB39

2748. +REQUIREMENTS FOR PROFICIENCY IN THE USE OF THE ENGLISH LANGUAGE AND FOR THE USE OF ENGLISH UNITS OF MEASUREMENTS IN COMMUNICATIONS ABOUT RAILROAD OPERATIONS IN THE UNITED STATES

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 220

Legal Deadline: None

Abstract: This proposed rule would require that certain railroad employees be proficient in English, speak in English when required by another railroad worker in connection with railroad operations in the United States, and generally use English units of measurement when communicating about railroad operations that occur in the United States.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: John A. Winkle, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6067

RIN: 2130—AB40

Department of Transportation (DOT)
Federal Railroad Administration (FRA)

Final Rule Stage

2749. LOCAL RAIL FREIGHT ASSISTANCE TO STATES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 22101

CFR Citation: 49 CFR 266

Legal Deadline: None

Abstract: This action is to revise the procedures and requirements for the receipt of financial assistance contained in part 266. These changes are required to reflect statutory modifications resulting from the Local Rail Service Reauthorization Act of 1989. The Local Freight Assistance Program has not been reauthorized after FY 1995. However, final regulations are necessary because States continue to submit applications for new projects to be funded from loan funds repaid to States by previous borrowers. FRA is reconsidering the need for these regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/30/90	55 FR 49648
NPRM Comment Period End	12/31/90	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: None

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: While this action was to be terminated in October of 1995, the agency reconsidered and has decided to move forward with a final rule.

ANALYSIS: Regulatory Evaluation, 11/30/90, 55 FR 49648

Agency Contact: JoAnne McGowan, Chief, Freight Programs Division, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 493-3290

RIN: 2130-AA60

2750. +FREIGHT CAR SAFETY STANDARDS: MAINTENANCE-OF-WAY EQUIPMENT

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 215

Legal Deadline: None

Abstract: This action proposes to amend the freight car safety standards to subject all maintenance-of-way vehicles to FRA's safety standards, with the exception of stenciled cars not used in revenue service and restricted to a speed of less than 20 miles per hour. This action is considered significant because of substantial public and industry interest.

Timetable:

Action	Date	FR Cite
NPRM	03/10/94	59 FR 11238
NPRM Comment Period End	02/27/95	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Additional Information: The original NPRM comment period ended on 4/11/94 but was twice extended; first, to 11/28/94 (59 FR 49374) and then to 02/27/95 (59 FR 67266). Due to various contentious issues raised during the NPRM comment period, FRA believed it might be advantageous to resolve differences in an open forum. Therefore, on September 30, 1997, FRA formally proposed this rulemaking as a new task (Task 97-8) for the Railroad Safety Advisory Committee (RSAC). After discussion, the RSAC declined to accept the task at that time. The need to complete other, higher priority projects has not permitted further action on this rulemaking.

ANALYSIS: Regulatory Evaluation, 03/10/94, 59 FR 11238

Agency Contact: Billie Stultz, Deputy Assistant Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 493-6053

RIN: 2130-AA68

2751. +WHISTLE BANS AT HIGHWAY-RAIL GRADE CROSSINGS

Regulatory Plan: This entry is Seq. No. 104 in Part II of this issue of the Federal Register.

RIN: 2130-AA71

2752. MAINTENANCE, INSPECTION, AND TESTING OF GRADE-CROSSING SIGNAL SYSTEMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 234

Legal Deadline: Final, Statutory, June 22, 1989.

Abstract: FRA is making technical changes and minor amendments to final regulations which were published on September 30, 1994. These regulations require that railroads take specific and timely actions to protect the travelling public and railroad employees from the hazards posed by malfunctioning highway-rail grade crossing warning systems, and that railroads follow specific standards for maintenance, inspection, and testing of those systems. The amendments clarify issues arising from implementation of this new regulatory program. No new costs are expected.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/20/96	61 FR 31802
Comment Period End	07/22/96	
Interim Final Rule Effective	08/19/96	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Additional Information: The final rule, RIN 2130-AA70, was published 9/30/94 (59 FR 50086), and was effective 1/1/95. In response to a petition for reconsideration, FRA conducted a review, together with rail labor and rail management, to address various implementation issues that had surfaced since the rule was enacted. After meeting with these parties in March 1995, FRA issued an Implementation Manual on April 14, 1995. An interim final rule intended to clarify implementation issues by making minor technical amendments was published on June 20, 1996, effective August 19, 1996. Response to

DOT—FRA

Final Rule Stage

the comments on that interim rule may result in further amendment of the rule.

Agency Contact: Mark H. Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6061

RIN: 2130-AA97

2753. REINVENTION OF REGULATIONS ADDRESSING DISCONTINUANCE OR MODIFICATION OF SIGNAL SYSTEMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20501 to 20505

CFR Citation: 49 CFR 235

Legal Deadline: None

Abstract: Pursuant to the President's Regulatory Reform Initiative, FRA intends to revise part 235 by reducing the list of circumstances for which signal system discontinuance approval is required. No new costs are expected.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/01/96	61 FR 33871
Comment Period End	07/31/96	
Interim Final Rule Effective	08/30/96	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mark Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6061

RIN: 2130-AB05

2754. REINVENTION OF SIGNAL SYSTEM REPORTING REQUIREMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20501 to 20505

CFR Citation: 49 CFR 233

Legal Deadline: None

Abstract: Pursuant to the President's Regulatory Reform Initiative, FRA is amending its signal system reporting requirements (part 233) to reduce signal system reporting burdens on the rail industry. No new costs are expected.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/01/96	61 FR 33871
Comment Period End	07/31/96	
Interim Final Rule Effective	08/30/96	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mark Tessler, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6061

RIN: 2130-AB06

2755. SMALL RAILROADS; POLICY STATEMENT ON ENFORCEMENT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 601 et seq; PL 104-121; 49 USC 20101 et seq

CFR Citation: 49 CFR 209

Legal Deadline: Other, Statutory, March 29, 1997, 180 Days to Final Rule.

Abstract: The Small Business Regulatory Enforcement Act (SBREFA) of 1996 requires, among other things, that Federal agencies establish communication and enforcement programs to address the unique concerns and operations of small entities.

Pursuant to SBREFA, FRA published communication and enforcement policies with respect to small entities in an Interim Statement of Agency Policy and undertook an interim definition of "small entity" in this

process. Also, FRA invited comment from the public for the purpose of adopting a new definition of "small entity" in the future, and conducted a public meeting with all interested parties to discuss this issue. FRA will issue a Final Statement of Policy

Timetable:

Action	Date	FR Cite
Interim Policy Statement	08/11/97	62 FR 43024
Interim Policy Statement Effective	10/10/97	
Comment Period End	11/30/97	
Final Policy Statement	12/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Local

Additional Information: A public meeting was held on September 28, 1999. (See 64 FR 46468, 8/25/99.)

Agency Contact: Nancy Lummen Lewis, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6047

RIN: 2130-AB15

2756. +POWER BRAKE REGULATIONS: FREIGHT POWER BRAKE REVISIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 232; 49 CFR 231; 49 CFR 229

Legal Deadline: Final, Statutory, December 31, 1993.

Abstract: Pursuant to the Federal Railroad Safety Enforcement and Review Act of 1992, FRA is revising the power brake rules. After separating proposed revisions regarding freight power brakes from passenger power brakes, FRA tasked the revision of freight power brake standards on April 1-2, 1996 to the Railroad Safety Advisory Committee (RSAC), established by FRA on March 26, 1996 (61 FR 9740). On June 24, 1997, this task was withdrawn from RSAC and

DOT—FRA

Final Rule Stage

FRA is proceeding on its own initiative. This rulemaking is considered significant because of its potential economic impact and congressional and public interest.

Timetable:

Action	Date	FR Cite
NPRM	09/09/98	63 FR 48294
Notice of Public Hearing	10/08/98	63 FR 54104
Extension of Comment Period	01/21/99	64 FR 3273
NPRM Comment Period End	03/01/99	
Public Meeting - Notice	05/04/99	64 FR 23816
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: A portion of the task to revise the power brake rules has been completed. FRA revised the existing power brake regulations to mandate the use of two-way end-of-train telemetry devices, RIN 2130-AA73, in a final rule published on January 2, 1997 (62 FR 278). Furthermore, rules regarding the inspection and testing of passenger equipment and brake systems were developed with the assistance of a passenger equipment standards working group, and a final rule was issued May 12 1999 (64 FR 25540). (See RIN 2130-AA95.)

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6036

RIN: 2130-AB16

2757. +REGULATIONS ON SAFETY INTEGRATION PLANS GOVERNING RAILROAD CONSOLIDATIONS, MERGERS, ACQUISITIONS OF CONTROL AND START-UP OPERATIONS

Priority: Other Significant

Legal Authority: 49 USC 20103; 49 USC 20107; 49 USC 21301; 28 USC 2461

CFR Citation: 49 CFR 244; 49 CFR 1.49

Legal Deadline: None

Abstract: FRA prepared a proposed rule that would require a railroad to

file a Safety Integration Plan with the Federal Railroad Administration (1) whenever a Class I railroad, the National Railroad Passenger Corporation, or a railroad providing commuter service proposes to merge, consolidate or acquire control of one another; (2) whenever an entity proposes to start operations as a railroad; (3) whenever a Class II railroad proposes to consolidate, merge, or acquire control of another Class II railroad with which it would directly interchange freight, or (4) whenever a railroad merger, consolidation or acquisition of control would result in operations that generate revenue in excess of the Class I threshold. The proposed rule prescribed content and subject matter areas that must be addressed in each plan before FRA may approve of such plan. FRA is in the process of preparing a final rule in this area and is working with the Surface Transportation Board to conduct coordinated rulemaking actions covering these transactions within the framework of each agency's jurisdiction.

Timetable:

Action	Date	FR Cite
NPRM	12/31/98	63 FR 72225
Public Hearing - Notice	04/21/99	64 FR 19512
Comment Period Extended	04/21/99	64 FR 19512
NPRM Comment Period End	05/04/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: A public hearing on this rulemaking was held on May 4, 1999.

Agency Contact: Jon Kaplan, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6042

RIN: 2130-AB24

2758. BRIDGE WORKER SAFETY STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 214

Legal Deadline: None

Abstract: In response to a petition for rulemaking, FRA will amend the Bridge Worker Safety Rules through promulgation of an interim final rule. The interim final rule will likely prohibit the use of safety belts as fall protection, but would continue to require the use of harnesses, which are more commonly used in present industry practice. The interim final rule would also make technical clarifications to the existing standards. This action is supported by the industry and is consistent with new policies of the Occupational Safety and Health Administration. Data shows that safety belts present unnecessary safety risks, and are generally disfavored by companies involved with working at heights.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Gordon Davids, Bridge Engineer, Office of Safety, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6320

RIN: 2130-AB25

2759. ANNUAL ADJUSTMENT OF MONETARY THRESHOLD FOR REPORTING RAIL EQUIPMENT ACCIDENTS/INCIDENTS

Priority: Info./Admin./Other

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 225

Legal Deadline: None

Abstract: This annual determination establishes the monetary threshold for reporting rail equipment accidents/incidents involving railroad property damage. This action ensures and maintains comparability between different years of data by having the threshold keep pace with fluctuations in equipment and labor costs. It is required by statute. The reporting threshold is based on the formula adopted in a final rule 5/18/96, 61 FR 60632. This agenda entry will be updated each year to show the latest

DOT—FRA

Final Rule Stage

annual determination. Cites for determinations already issued are provided below.

Timetable:

Action	Date	FR Cite
Annual Determination	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: The 1999 final rule of 12/10/99, 64 FR 69193 established at \$6,600 the monetary threshold for accidents/incidents that occur during calendar year 2000. There is no change from calendar years 1998 and 1999. The 1997 final rule of 2/2/97, 62 FR 63675 increased the monetary threshold from \$6,500 to \$6,600. The 1996 final rule of 11/29/96, 61 FR 60632 increased the monetary threshold from \$6,300 to \$6,500.

Agency Contact: Nancy Friedman, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6034

RIN: 2130—AB30

2760. DETERMINATION OF MINIMUM TESTING RATE FOR RANDOM DRUG AND ALCOHOL TESTING

Priority: Info./Admin./Other

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 219

Legal Deadline: None

Abstract: Each year FRA announces the minimum random drug and alcohol testing rates for the following year for the railroad industry. This determination is based on a review of rail industry drug and alcohol management information system data, as well as data from compliance reviews of rail industry drug and alcohol testing programs. Procedures were established in a final rule 12/2/94, 59 FR 62218. The minimum random drug testing rate continues to be 25 percent of covered railroad employees for 2000. This agenda entry will be updated each year to show the latest annual determination. Cites for determinations already issued are provided below.

Timetable:

Action	Date	FR Cite
Annual Determination	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: In the notice of determination of 12/27/99, 64 FR 72289 the minimum random drug and alcohol testing rate for calendar year 2000 remained at 25 percent of covered railroad employees. In the notices of determination of 2/18/98 (63 FR 8143) and 12/30/98 (63 FR 71789), the minimum rate remained at 25 percent for calendar years 1998 and 1999.

Agency Contact: Patricia V. Sun, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6060

RIN: 2130—AB31

2761. TRACK SAFETY STANDARDS AMENDMENT TO ADDRESS GAGE RESTRAINT MEASUREMENT SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 213

Legal Deadline: None

Abstract: A Gage Restraint Measurement System (GRMS) is a non-destructive performance-based technology that objectively measures track gauge restraint capacity of crossties and rail fasteners by applying known lateral and vertical loads to track structure, measuring the gauge deflection under those loads, and then projecting what the gauge would become under severe track loading conditions. From this data, a gauge widening ratio is calculated as a measure of overall track strength. In the NPRM to revise the Track Safety Standards (62 FR 36138, July 3, 1997), FRA acknowledged that the Track Working Group which helped draft the NPRM was unable to agree upon a proposal that would permit railroads to use GRMS to determine compliance with crosstie fastener requirements. FRA requested public comments regarding the use of GRMS as an alternative or additional track inspection method. In the final rule

revising the Track Safety Standards (63 FR 33992, June 22, 1998), FRA reported that it had received various comments about the use of GRMS and that an amendment to the Track Safety Standards addressing GRMS would be published later in a separate final rule.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: This action was originally contemplated as part of the Track Safety Standards (RIN 2130-AA75) which were issued June 22, 1998 (63 FR 33992).

Agency Contact: Nancy Lummen Lewis, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6047

RIN: 2130—AB32

2762. +LOCATIONAL REQUIREMENT FOR DISPATCHING OF UNITED STATES RAIL OPERATIONS

Priority: Other Significant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 241

Legal Deadline: None

Abstract: This interim final rule will require that all railroad operations in the United States be dispatched in the United States, with certain exceptions. This action is considered significant because of substantial interdepartmental concerns.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John A. Winkle, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6067

RIN: 2130—AB38

Department of Transportation (DOT)
Federal Railroad Administration (FRA)
Long-Term Actions**2763. AMTRAK WASTE DISPOSAL****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 101-610**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The National and Community Service Act requires the Secretary of Transportation to promulgate such regulations as may be necessary to mitigate the impact of discharge of human waste from railroad passenger cars on areas that may be considered environmentally sensitive.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: Mark Yachmetz, Department of Transportation, Federal Railroad Administration, Office of Safety, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 493-6289

RIN: 2130-AA84**2764. BLUE SIGNAL AND RELATED PROTECTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 218**Legal Deadline:** None

Abstract: FRA is in the process of reconsidering amendments to its "Blue Signal" regulations, which prescribe minimum requirements for the protection of railroad employees engaged in the inspection, testing, repair, and servicing of rolling equipment. In a final rule issued in 1993, FRA allowed augmentation of a crew by using a "utility" employee, which would increase a railroad's efficient use of its employees under secure procedures to ensure proper coordination within the work group. Based on petitions to reconsider several aspects of its final rule treating this subject, FRA issued amendments to this rule. One of those amendments dealt not with utility employees, but with lone workers. Based on comments received, the agency suspended that amendment and reopened the comment period to further develop this proposal. As resources permit, FRA will issue a

proposed rule addressing this issue and other important blue signal issues.

Timetable:

Action	Date	FR Cite
Final Rule Amendments	03/01/95	60 FR 11047
Comment Period End	05/01/95	
Comment Period Reopened	06/09/95	60 FR 30469
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: The final rule on utility employees was published August 16, 1993 (58 FR 43287), RIN 2130-AA77. FRA has changed the title of the current entry to the Unified Regulatory Agenda, which was originally titled "Protection of Utility Employees" to more accurately reflect what this action is expected to address.

Agency Contact: Paul F. Byrnes, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6032

RIN: 2130-AA90**2765. USE OF ONE-PERSON CREWS IN RAIL OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: Concerned with the complex and immediate safety issues posed by rail operations involving the use of one-person crews, FRA will consider whether to regulate the use of one-person operations. FRA might require all railroads which propose to use one-person crew operations to enroll in a pilot program and agree to conform to safety conditions set forth by FRA. The purpose of the pilot program would be to determine under what conditions, if any, one-person crew operations can be safely operated.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Federalism:** Undetermined

Additional Information: An Informal Safety Inquiry concerning a proposal by Wisconsin Central Ltd. to expand its use of one-person crew and remote control operations was held by FRA on December 4 and 5, 1996 (61 FR 58736, November 18, 1996).

Agency Contact: Christine Beyer, Deputy Assistant Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW., Washington DC 20590
Phone: 202 493-6052

RIN: 2130-AB18**2766. CRANE SAFETY STANDARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: In response to a petition for rulemaking, FRA will consider whether to adopt regulations governing functional and design safety of on-track railroad cranes used for track maintenance. FRA is awaiting the advice and recommendations of RSAC before taking further regulatory action.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** Undetermined

Agency Contact: Christine Beyer, Deputy Assistant Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW., Washington DC 20590
Phone: 202 493-6052

RIN: 2130-AB27**2767. RAILROAD CAR CONSPICUITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103; 49 USC 20148**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: FRA is considering requiring that retroreflective tape be applied to all railroad cars. FRA has established a docket so that interested parties may submit relevant information, but no immediate regulatory action is anticipated.

DOT—FRA

Long-Term Actions

Timetable:

Action	Date	FR Cite
Begin Review	01/14/00	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John A. Winkle, Trial Attorney, Department of

Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590
Phone: 202 493-6067

RIN: 2130—AB41

Department of Transportation (DOT)
Federal Railroad Administration (FRA)

Completed Actions

2768. STATEMENT OF POLICY REGARDING SAFETY OF RAILROAD BRIDGES

Priority: Info./Admin./Other

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 213

Legal Deadline: None

Abstract: FRA proposes to publish a policy statement containing maintenance guidelines based on certain common, basic principles that characterize effective bridge management practices. The guidelines are meant to be advisory in nature. They will not have the force of regulations under which FRA ordinarily issues violations and assesses civil penalties.

Timetable:

Action	Date	FR Cite
Statement of Interim Policy	04/27/95	60 FR 20654
Comment Period End	06/26/95	
Final Policy Statement	08/30/00	65 FR 52667
Final Action Effective	09/29/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Lummen Lewis, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6047

RIN: 2130—AA99

2769. FLORIDA OVERLAND EXPRESS HIGH SPEED RAIL RULE OF PARTICULAR APPLICABILITY

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 20103

CFR Citation: 49 CFR 243

Legal Deadline: None

Abstract: FRA published a proposed rule of particular applicability for a high speed rail project in Florida. As proposed, the system would operate from Miami to Tampa via Orlando, and would be modeled on the French TGV. A consortium of engineering and design firms, and the state of Florida entered into an agreement to develop the project, which they anticipated would commence operations in 2004. However, FRA has been informed that the State has withdrawn support and funding for the project. Therefore, FRA has suspended work on final standards.

Timetable:

Action	Date	FR Cite
NPRM	12/12/97	62 FR 65478
NPRM Comment Period End	02/10/98	
Withdrawn	08/22/00	65 FR 50952

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: A Public Regulatory Conference was held on November 23, 1998.

Agency Contact: Christine Beyer, Deputy Assistant Chief Counsel, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW., Washington DC 20590
Phone: 202 493-6052

RIN: 2130—AB14

2770. +AMENDMENT OF REGULATIONS GOVERNING RAILROAD REHABILITATION AND IMPROVEMENT FINANCING

Priority: Other Significant

Legal Authority: 45 USC 821 et seq; PL 105-78

CFR Citation: 49 CFR 260

Legal Deadline: None

Abstract: This action amended the current regulations by replacing the railroad financing programs with a new loan and loan guarantee program. Section 7203 of the Transportation Equity Act for the 21st Century authorizes the Secretary of Transportation to provide direct loans and loan guarantees to State and local governments, government sponsored authorities and corporations, railroads, and joint ventures, that include at least one railroad. This is significant because a total of \$3.5 billion has been authorized for the program and the rule may have an annual effect on the economy of \$100 million or more until the principal cap of \$3.5 billion is reached.

Timetable:

Action	Date	FR Cite
NPRM	05/20/99	64 FR 27488
NPRM Comment Period End	06/21/99	
Final Action	07/06/00	65 FR 41838
Final Action Effective	09/05/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: JoAnne McGowan, Chief, Freight Programs Division, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-3290

RIN: 2130—AB26

DOT—FRA

Completed Actions

2771. +JOINT STATEMENT OF SAFETY POLICY FOR SHARED USE OF GENERAL RAILROAD SYSTEM TRACKAGE BY CONVENTIONAL RAILROAD AND RAIL TRANSIT TRAINS**Priority:** Other Significant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 209**Legal Deadline:** None

Abstract: The Joint Policy Statement of the Federal Railroad Administration (FRA) and the Federal Transit Administration (FTA) explain the nature of the most important safety issues related to joint use of the general railroad system by conventional and light rail equipment. It briefly summarizes FRA's exercise of its jurisdiction over these operations, helps transit authorities, railroads, and other interested parties understand how the respective safety authority of the two agencies will be coordinated, and expresses both FRA's and FTA's commitment to work together closely to ensure the safety and viability of these operations. It is considered significant because it involves multiple departmental modes. FRA also issued its own statement of policy elaborating on its safety jurisdiction and providing additional guidance on how approval of shared use may be obtained from FRA.

Timetable:

Action	Date	FR Cite
Proposed Joint Policy Statement	05/25/99	64 FR 28238
Comment Period Extended	07/28/99	64 FR 40931
Extension of Comment Period	10/28/99	64 FR 58124
Proposed FRA Policy Statement	11/01/99	64 FR 59046
Comment Period Extended	01/12/00	65 FR 1844
Comment Period End	02/14/00	
Final Joint Policy Statement	07/10/00	65 FR 42526
Final FRA Policy Statement	07/10/00	65 FR 42529
Final Policy Statements Effective	07/10/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: David H. Kasminoff, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6043

RIN: 2130-AB33**2772. • AMENDMENT OF PASSENGER EQUIPMENT SAFETY STANDARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 20103**CFR Citation:** 49 CFR 215; 49 CFR 220; 49 CFR 238**Legal Deadline:** None

Abstract: This action specifically responded to the petitions for reconsideration related to the inspection, testing, maintenance and movement of defective equipment provisions, that FRA received in response to its May 12, 1999 final rule (64 FR 25540) establishing comprehensive Federal safety standards for railroad passenger equipment. This action clarifies and amends the final rule as it relates to these provisions.

Timetable:

Action	Date	FR Cite
Final Action	07/03/00	65 FR 41284
Final Action Effective	07/03/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: This action amends the final rule discussed in previous RIN-No 2130-AA95.

Agency Contact: Thomas Herrmann, Trial Attorney, Department of Transportation, Federal Railroad Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 493-6036

RIN: 2130-AB42
Department of Transportation (DOT)
Federal Transit Administration (FTA)
Proposed Rule Stage**2773. CLEAN FUELS FORMULA GRANT PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-178, sec 3008; 49 USC 5308**CFR Citation:** 49 CFR 624**Legal Deadline:** None

Abstract: Section 3008 of the Transportation Equity Act for the 21st Century establishes the Clean Fuels Formula Grant Program. This grant program will assist transit systems in purchasing or leasing clean fuel vehicles; constructing clean fuel or electrical re-charging facilities; modifying existing garage facilities to accommodate clean fuel vehicles; repowering pre-1993 engines with clean

fuel technology which meets the current bus emission standards; and retrofitting or rebuilding pre-1993 engines before their half-life for rebuilding. This provision requires the Secretary to issue an implementing regulation that sets forth eligibility requirements and an apportionment formula for eligible projects. In FY 1999, all funds were apportioned to earmarked projects. This action is considered significant because of considerable congressional and public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local

Agency Contact: Scheryl Portee, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936
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RIN: 2132-AA64**2774. STATE SAFETY OVERSIGHT; RAIL FIXED GUIDEWAY SYSTEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5330

DOT—FTA

Proposed Rule Stage

CFR Citation: 49 CFR 659**Legal Deadline:** None

Abstract: On the basis of State Safety Oversight audits that the Federal Transit Administration has been conducting over the past year, the agency will propose several changes to the rule, including requiring states to oversee the safety of rail fixed guideway systems in the planning, design, and construction phases. This regulation was previously reported under RIN 2132-AAA39 and RIN 2132-AA59.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Roy Field, Transit Safety & Security Specialist, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0197

Meghan Ludtke, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4011
Fax: 202 366-3809

RIN: 2132-AA69**2775. +REQUIREMENT FOR THIRD-PARTY CONTRACTING WITH FTA RECIPIENTS****Priority:** Other Significant

Legal Authority: 49 USC 322(a); 49 USC 5301 et seq; 49 USC 107(c); 49 CFR 18 and 19

CFR Citation: 49 CFR 635**Legal Deadline:** None

Abstract: Federal Transit Administration grantees must comply with FTA Circular 4220.1D, "Third-Party Contracting Requirements." FTA proposes to put that circular into regulatory form. FTA is undertaking this action based on the belief that procurement regulations will make the third-party contracting process more equitable and understandable. This action is considered significant because of substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Richard Wong, Attorney-Advisor, Department of Transportation, Federal Transit

Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936
Fax: 202 366-3809

RIN: 2132-AA70**2776. PREVENTION OF ALCOHOL MISUSE AND DRUG USE IN TRANSIT OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5331**CFR Citation:** 49 CFR 655**Legal Deadline:** None

Abstract: The Federal Transit Administration proposes to combine its current drug (part 653) and alcohol (part 654) testing regulations into a new part 655. FTA will also incorporate various amendments and interpretations since this rule became effective.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal

Agency Contact: Scheryl Portee, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2132-AA71
Department of Transportation (DOT)
Federal Transit Administration (FTA)

Final Rule Stage

2777. +BUS TESTING**Priority:** Other Significant**Legal Authority:** 49 USC 5323(c)**CFR Citation:** 49 CFR 665**Legal Deadline:** None

Abstract: This regulation implements a statutory provision that requires any new bus model purchased after September 30, 1989, to be tested at a facility established pursuant to 49 USC 5318. This regulation is significant

because of the large amount of public interest.

Timetable:

Action	Date	FR Cite
NPRM	05/25/89	54 FR 22716
NPRM Comment Period End	07/24/89	
Interim Final Rule Comment Period Reopened	08/23/89	54 FR 35158
	11/30/89	54 FR 49297
Interim Final Rule - Second	10/09/90	55 FR 41174
Interim Procedures	09/13/91	56 FR 46572

Action	Date	FR Cite
Interim Final Rule - New Vehicle Types	07/28/92	57 FR 33394
Interim Final Rule - Partial Effectiveness Postponed	10/13/92	57 FR 46814
Interim Final Rule - Comment Period Reopened to 01/29/93	01/07/93	58 FR 2989
Interim Final Rule - Partial Effectiveness Postponed	02/23/93	58 FR 10989

DOT—FTA

Final Rule Stage

Action	Date	FR Cite
Notice of Meeting	02/26/93	58 FR 11549
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

Additional Information: Former section 12(h) of the FT Act, as amended (now 49 USC 5302(a)(9)), defines a "new bus model" as a bus model which has not been used in mass transportation service in the United States before the date of production of such model, or a bus model which has been used in such service, but which is being produced with a major change in configuration or components. A third interim final rule, published on 07/28/92, added two new categories of buses required to be tested. On 10/13/92 FTA published a notice postponing the application of the interim final rule for these vehicle types until 02/10/93. The FTA's fourth interim final rule, issued on 11/3/93, established four subcategories of small vehicles to facilitate the phase-in of testing. The final rule will add the two tests mandated by ISTEA, brake performance and emissions, to the seven tests currently performed at the bus testing facility. In addition, the final rule will clarify the partial testing with regard to what constitutes a "major change" on a bus that has been fully tested, but is later produced with a change in configuration or component.

ANALYSIS: Regulatory Evaluation, 07/28/92, 57 FR 33394

Agency Contact: Richard Wong, Attorney-Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936
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RIN: 2132-AA30

2778. +NEPA AND RELATED PROCEDURES FOR TRANSPORTATION DECISIONMAKING; PROTECTION OF PUBLIC WORKS, WILDLIFE AND WATERFOWL REFUGES AND HISTORIC SITES

Priority: Other Significant

Legal Authority: 23 USC 109, 128, 134, 138 and 315; 42 USC 2000d-2000d-4, 4321 et seq. and 7401 et seq.; 49 USC 303 , 5301(e), 5303, 5309 and 5324(b) and (c); 49 CFR 1.48 and 1.51; 33 CFR 115.60(b); 40 CFR 1500 to 1508

CFR Citation: 23 CFR 771; 23 CFR 1420; 23 CFR 1430; 49 CFR 622; 49 CFR 623

Legal Deadline: None

Abstract: The Federal Transit Administration and the Federal Highway Administration issued an NPRM to propose updating and revising the National Environmental Policy Act implementing regulation for FTA and FHWA funded or approved projects. The current regulations were issued in 1987 (23 CFR part 771, August 28, 1987) and experience since that time as well as changes in legislation, most recently by the Transportation Equity Act for the 21st Century (TEA-21), call for an updated approach to implementation of NEPA for FTA and FHWA projects and actions.

Under this proposed rulemaking, the FTA/FHWA regulation for implementing NEPA would be moved to a new part (23 CFR part 530) and would be revised to further emphasize using the NEPA process to facilitate effective and timely decisionmaking.

Timetable:

Action	Date	FR Cite
NPRM	05/25/00	65 FR 33958
Comment Period Extended	07/07/00	65 FR 41892
Comment Period End	09/23/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: The corresponding FHWA RIN is 2125-AE64. This incorporates the issues contained in RIN 2125-AD32.

Agency Contact: Scott Biehl, Assistant Chief Counsel, Department of Transportation, Federal Transit

Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0952
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RIN: 2132-AA43

2779. CHARTER SERVICES DEMONSTRATION PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-240, sec 3040

CFR Citation: 49 CFR 604

Legal Deadline: Final, Statutory, September 18, 1992.

Abstract: This rulemaking presents the results and conclusions drawn from the charter services demonstration program, previously reported under RIN 2132-AA40, which was mandated by section 3040 of the Intermodal Surface Transportation Efficiency Act. That provision directed FTA to conduct a demonstration program in four states to permit public operators to provide needed charter services to certain civic and community groups. In addition to setting forth program results, this rulemaking sought recommendations regarding improvements to the charter service regulation. However, based on a review of the comments received, the FTA has determined that there is no justification for changing the rule. Consequently, the agency will be withdrawing the NPRM.

Timetable:

Action	Date	FR Cite
NPRM	06/23/97	62 FR 33793
NPRM Comment Period End	08/22/97	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Agency Contact: Elizabeth S. Martineau, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936
Fax: 202 366-3809

RIN: 2132-AA58

DOT—FTA

Final Rule Stage

2780. BUY AMERICA REQUIREMENTS; AMENDMENT TO CERTIFICATION PROCEDURES**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-178, sec 3020(b)**CFR Citation:** 49 CFR 661.11; 49 CFR 661.13**Legal Deadline:** None

Abstract: This action would amend FTA's Buy America regulation, 49 CFR 661 in accordance with section 3020(b) of the Transportation Equity Act for the 21st Century. Section 3020(b) amended 49 USC 5323(g) to allow a bidder on an FTA-funded contract to correct an incomplete certification or a certification of noncompliance with Buy America resulting from an inadvertent or clerical error.

Timetable:

Action	Date	FR Cite
NPRM	02/18/99	64 FR 8051
NPRM Comment	04/19/99	
Period End		
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Meghan Ludtke, Attorney Advisor, Department of Transportation, Federal Transit Administration, Room 9316, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4011
Fax: 202 366-3809

RIN: 2132-AA62**2781. +MAJOR CAPITAL INVESTMENT PROJECTS****Priority:** Other Significant**Legal Authority:** 49 USC 5309; PL 105-178, Sec 3009(e)**CFR Citation:** 49 CFR 611

Legal Deadline: NPRM, Statutory, October 7, 1998.
Final, Statutory, December 7, 1998.

Abstract: This rulemaking will establish the criteria by which FTA will evaluate major capital investment mass transportation projects and rate those projects in comparison with one another, based on an analyses of alternatives, justifications for projects, and degrees of local financial commitment. This rulemaking will also codify the procedures applicants for Federal transit capital funding must follow in developing fixed guideway ("New Starts") projects. This action is considered significant because of potential public, congressional, and environmental concerns.

Timetable:

Action	Date	FR Cite
NPRM	04/07/99	64 FR 17061
Notice of Meeting	05/13/99	64 FR 25864
NPRM Comment	07/06/99	
Period End		
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Richard P. Steinmann, Director, Office of Policy Development, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1739

Scott Biehl, Assistant Chief Counsel, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
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RIN: 2132-AA63**2782. +STATEWIDE METROPOLITAN PLANNING****Priority:** Other Significant

Legal Authority: 23 USC 134; 23 USC 135; 23 USC 315; 42 USC 7410 et seq.; 49 USC 5303 to 5305; 49 CFR 1.48 and 1.51

CFR Citation: 23 CFR 450; 23 CFR 1410; 49 CFR 613; 49 CFR 621**Legal Deadline:** None

Abstract: In this action, FTA and FHWA are jointly proposing to revise the regulations governing the development of transportation plans and programs for urbanized (metropolitan) areas and States. These

revisions are the product of statutory changes made by the Transportation Equity Act for the 21st Century (TEA-21), which requires a continuous, comprehensive, and coordinated process in metropolitan areas and States. The regulations at 23 CFR part 450 and 49 CFR part 613 are being modified to reflect the impacts of TEA-21. These changes are being proposed in concert with revisions to regulations concerning environmental impact and related procedures and its architectural consistency.

The intent of these changes is to more effectively link planning regulations and environmental streamlining regulations to facilitate integration of decisions, reduce paperwork and analytical activity, where feasible, and to refine procedures and processes to achieve greater efficiency in decisionmaking.

In addition, the agencies believe that an integrated approach to planning and project development will contribute to more effective and environmentally sound decisions regarding investment choices. This action is considered significant because of substantial congressional and public interest.

Timetable:

Action	Date	FR Cite
NPRM	05/25/00	65 FR 33958
Comment Period	07/07/00	65 FR 41891
Extended		
Comment Period End	09/23/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local

Additional Information: The corresponding FHWA RIN is 2125-AE62.

Agency Contact: Scott Biehl, Assistant Chief Counsel, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-0952
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RIN: 2132-AA66**2783. SCHOOL BUS OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5323(f)

DOT—FTA

Final Rule Stage

CFR Citation: 49 CFR 605**Legal Deadline:** None

Abstract: This rulemaking proposes to amend the definition of “tripper” service, which is mass transportation service which is open to the public and which is modified to meet the needs of school students and personnel. The amended definition would prohibit the use of certain signage and provide that tripper buses must stop only at stops

that are marked as available to the public.

Timetable:

Action	Date	FR Cite
NPRM	05/03/99	64 FR 23590
NPRM Comment Period End	07/02/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions**Government Levels Affected:** State, Local

Agency Contact: Elizabeth S. Martineau, Attorney Advisor, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-1936
Fax: 202 366-3809

RIN: 2132-AA67

Department of Transportation (DOT)
Federal Transit Administration (FTA)

Long-Term Actions

2784. BUY AMERICA REQUIREMENTS; PERMANENT WAIVER FOR MICROCOMPUTERS

Priority: Substantive, Nonsignificant**Legal Authority:** PL 97-424**CFR Citation:** 49 CFR 661**Legal Deadline:** None

Abstract: Section 165(b)(2) of the Surface Transportation Assistance Act of 1982 provides that a waiver of the Buy America requirements may be granted if materials and products being procured are not produced in the United States in sufficient and reasonable quantities and of satisfactory quality. Such a waiver was permanently granted in 1986 for microcomputers, as FTA grantees were

experiencing difficulty in purchasing domestically produced microcomputer equipment appropriate to their needs. At that time, FTA reserved the right to reassess the need for a waiver based on the changing market for microcomputers. Since both the international and domestic market for microcomputers has changed since the permanent waiver was issued, FTA is soliciting comments as to whether this waiver should be revoked, modified or retained.

Timetable:

Action	Date	FR Cite
ANPRM	10/08/99	64 FR 54855
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** State, Local, Tribal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Meghan Ludtke, Attorney Advisor, Department of Transportation, Federal Transit Administration, Room 9316, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4011

Fax: 202 366-3809

RIN: 2132-AA68

Department of Transportation (DOT)
Federal Transit Administration (FTA)

Completed Actions

2785. +JOINT STATEMENT OF SAFETY POLICY FOR SHARED USE OF GENERAL RAILROAD SYSTEM TRACKAGE BY CONVENTIONAL RAILROAD AND RAIL TRANSIT SYSTEMS

Priority: Other Significant**Legal Authority:** 49 USC 20103; 49 USC 20107; 49 CFR 1.49**CFR Citation:** 49 CFR 209**Legal Deadline:** None

Abstract: The Joint Policy Statement of the Federal Transit Administration (FTA) and the Federal Railroad Administration (FRA) explains the nature of the most important safety issues related to joint use of the general

railroad system by conventional and light rail equipment. It briefly summarizes FRA's exercise of its jurisdiction over these operations, helps transit authorities, railroads and other interested parties understand how the respective safety authority of the two agencies will be coordinated, and express FTA's and FRA's commitment to work together closely to ensure safety and viability of these operations. It is considered significant because it involves multiple departmental modes. Please note that FRA has also issued its own statement of policy elaborating on its safety jurisdiction and providing additional guidance on how approval of shared use may be obtained from FRA.

Timetable:

Action	Date	FR Cite
Proposed Policy Statement	05/25/99	64 FR 28238
Comment Period Extended	07/28/99	64 FR 40931
Comment Period Extended	10/28/99	64 FR 58124
Proposed FRA Policy Statement	11/01/99	64 FR 59046
Comment Period Extended	01/12/00	65 FR 1844
Comment Period End	02/14/00	
Final Policy Statement	07/10/00	65 FR 42526
FRA Policy Statement	07/10/00	65 FR 42529

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

DOT—FTA

Completed Actions

Government Levels Affected: None
Additional Information: The corresponding FRA RIN is 2130-AB33.

Agency Contact: Gregory B. McBride, Deputy Chief Counsel, Department of Transportation, Federal Transit Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4063
 Fax: 202 366-3809
RIN: 2132-AA73

Department of Transportation (DOT)

Completed Actions

Saint Lawrence Seaway Development Corporation (SLSDC)

2786. • SEAWAY REGULATIONS AND RULES: MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 33 USC 983(a); 33 USC 984(a)(4); 49 CFR 1.50a

CFR Citation: 33 CFR Part 401

Legal Deadline: None

Abstract: The Saint Lawrence Seaway Development Corporation and the Saint Lawrence Management Corporation of Canada have determined that a number of existing regulations need to be amended. Only four of the amendments

in the NPRM are substantive and of applicability in both U.S. and Canadian waters: maximum vessel dimensions; mooring lines; hand lines; and calling-in-tables. The remaining amendments in this NPRM are editorial, ministerial, for clarification without substantive change in interpretation, or applicable only in Canada.

Timetable:

Action	Date	FR Cite
Final Action	08/31/00	65 FR 52912
Final Action Effective	10/02/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: None

Agency Contact: Marc C. Owen, Chief Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-0091
 Fax: 202 366-7147
 Email: marc.owen@sls.dot.gov
RIN: 2135-AA11

Department of Transportation (DOT)

Prerule Stage

Research and Special Programs Administration (RSPA)

2787. +INCREASED INSPECTION REQUIREMENTS

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: Final, Statutory, October 24, 1995.

Abstract: This rulemaking would address the need for additional periodic inspection of gas and hazardous liquid pipelines in high-density, environmentally sensitive, or navigable waterway areas. The regulations would prescribe circumstances under which such inspections must be conducted by internal inspection devices or equivalent means. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Public Workshop	10/18/95	60 FR 44821
Undetermined	06/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. PS-141. Congress has expressed a concern about the risk of pipeline failure caused by undetected structural defects. It directed DOT to prescribe, if necessary, additional standards that require the periodic inspection of certain pipelines in high-density population areas, areas unusually sensitive to environmental damage, and crossings of commercially navigable waterways. The regulations are to prescribe circumstances in which inspections must be conducted with an instrumented internal inspection device. If the device is not required, the regulations must require the use of an inspection method that is at least as effective as using the device in providing for the safety of the pipeline.

OPS is considering the need to establish requirements for increased pipeline inspection, including 'pigging'. On October 19, 1995, a public workshop was held in Washington, DC, to elicit suggestions from the pipeline industry and the public on development of regulations requiring increased inspection of certain gas and hazardous liquid pipelines. Industry participants advocated use of a wide variety of factors to judge the risk of

a pipeline and to determine whether pigging is required.

The need for increased inspection requirements in high-consequence areas is being addressed in Docket No. RSPA-99-6355, Enhanced Safety and Environmental Protection for Gas Transmission and Hazardous Liquid Pipelines in High Consequence Areas. An NPRM was issued in March 2000. A final rule requiring increased inspection for hazardous liquid pipelines in high consequence areas is expected in November 2000.

Agency Contact: L. M. Furrow, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-4559

RIN: 2137-AC38

2788. +EMERGENCY FLOW RESTRICTING DEVICES

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 195

DOT—RSPA

Prerule Stage

Legal Deadline: Final, Statutory, October 24, 1996.

Abstract: This rulemaking would specify those circumstances under which operators of hazardous liquid pipelines are required to use emergency flow restricting devices (EFRDs) or other procedures, systems, and equipment to detect and locate pipeline ruptures and minimize releases. This action is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	01/19/94	59 FR 2802
ANPRM Comment Period End	04/19/94	
Undetermined	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. PS-133. A public workshop was held on 10/19/95 (60 FR 44822). This action is being coordinated with other rulemakings on onshore oil spill response plans (Docket No. PS-130; RIN 2137-AC30), areas unusually sensitive to environmental damage (Docket No. PS-140; RIN 2137-AC34), and pipeline leak detection systems (Docket No. RSPA 97-2362; RIN 2137-AD05). These actions are being pursued in coordination with, and as part of the response to, the EFRD mandate.

First, RSPA has required pipeline operators to develop and carry out onshore oil spill response plans under the Oil Pollution Act of 1990 (Docket No. PS-130; RIN 2137-AC30). The operators have filed response plans under an interim final rule, and numerous tabletop exercises and area exercises have been conducted to validate the planning process. Work is proceeding on a 'one plan' approach

that would allow an operator to file only one oil spill response plan with the various interested agencies. A final rule will be directed toward improving operators' accident response capabilities and minimizing accident consequences.

Second, RSPA published a proposed rule to adopt the American Petroleum Institute's (API) pipeline leak detection system technical standard (Standard API 1130, Computational Pipeline Monitoring) to guide industry implementation of computer-based leak detection systems (Docket No. RSPA-97-2362, RIN 2137-AD06). This proposal would require that operators of hazardous liquid pipelines use API 1130 in conjunction with other information in the design, evaluation, operation, maintenance, and testing of their software-based leak detection systems. This will result in a significant advancement toward the acceptance of leak detection technology on hazardous liquid pipelines. This is a necessary precedent to the possible adoption of regulations on emergency flow restricting devices.

Third, RSPA is working with the Environmental Protection Agency, the U.S. Coast Guard, and others to develop a definition of "areas unusually sensitive to environmental damage from pipeline spills" (Docket No. PS-140; RIN 2137-AC34). This effort will define areas that are candidates for the application of EFRDs.

Finally, EFRDS are being considered as part of an NPRM in Docket No. RSPA-99-6355, Enhanced Safety and Environmental Protection for Gas Transmission and Hazardous Liquid Pipelines in High Consequence Areas.

Agency Contact: L. Ulrich, General Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4556

RIN: 2137-AC39

2789. HAZARDOUS MATERIALS: REVISION OF REQUIREMENTS FOR CARRIAGE BY AIRCRAFT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 48 USC 5101 to 5127

CFR Citation: 49 CFR 175

Legal Deadline: None

Abstract: Part 175 is being revised and rewritten in order to simplify and clarify the requirements, further align them with the international requirements (ICAO) and eliminate obsolete requirements.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations, Businesses, Governmental Jurisdictions

Government Levels Affected: None

Additional Information: Docket No. HM-228.

Agency Contact: Deborah Boothe, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD18

**Department of Transportation (DOT)
Research and Special Programs Administration (RSPA)**

Proposed Rule Stage

2790. PIPELINE SAFETY: GAS GATHERING LINE DEFINITION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192

Legal Deadline: Final, Statutory, October 24, 1994.

Abstract: The existing definition of "gathering line" would be clearly defined to eliminate confusion in distinguishing these pipelines from transmission lines in rural areas. The costs should be minimal since the

definition will conform to prevailing practices in government and industry.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48505
Request for Comments	03/11/99	64 FR 12147

DOT—RSPA

Proposed Rule Stage

Action	Date	FR Cite
Electronic Public Meeting	04/13/99	64 FR 12147
Extension of Comment Period	04/30/99	64 FR 23256
Comment Period Ends NPRM	07/07/99 01/00/01	64 FR 23256

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Docket No. RSPA-98-4868 (Formerly PS-122).

ANALYSIS: Regulatory Evaluation, 09/25/91, 56 FR 48505

Agency Contact: L.E. Herrick, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5523

RIN: 2137-AB15**2791. DOT 3AL ALUMINUM CYLINDERS; SAFETY PROBLEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 178**Legal Deadline:** None

Abstract: Certain DOT 3AL cylinders made of aluminum alloy 6351 have been discovered developing cracks during service, and occasionally leaks developed that resulted in loss of contents. The ANPRM was to alert and inform all persons possessing these cylinders of the problems, identify those cylinders at risk, and suggest steps to minimize risks. The NPRM will address the safety issues.

Timetable:

Action	Date	FR Cite
ANPRM	07/10/87	52 FR 26027
ANPRM Comment Period End	08/10/87	
NPRM	01/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Undetermined**Additional Information:** Docket No. HM-176A. Some safety issues originally considered by this action are being

addressed in Docket HM-220, RIN 2137-AA92.

ANALYSIS: Regulatory Evaluation

Agency Contact: Charles Betts, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AB51**2792. REGULATED GAS AND HAZARDOUS LIQUID GATHERING LINES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192; 49 CFR 195**Legal Deadline:** Final, Statutory, October 24, 1995.

Abstract: This action would establish regulations for gas and hazardous liquid gathering lines in rural areas for which there are at present no safety regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

Agency Contact: Richard Huriaux, Director, Technology & Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565

RIN: 2137-AC53**2793. PIPELINE SAFETY: PERIODIC UNDERWATER INSPECTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192; 49 CFR 195**Legal Deadline:** Final, Statutory, October 24, 1995.

Abstract: This action would require operators of natural gas and hazardous liquid pipelines to conduct periodic

underwater inspections of offshore pipelines and those in navigable waterways. This action would also define what constitutes an exposed underwater pipeline and what constitutes a hazard to navigation.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

Additional Information: Docket No. RSPA-97-3001. This action could include requirements for the reburial of exposed pipelines. Under an OPS contract, Texas A&M University has recently completed a study of the issues related to burial depth and inspection requirements for underwater pipelines.

An NPRM is being drafted that will incorporate the Texas A&M recommendation for a risk-based approach.

Agency Contact: L.E. Herrick, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-5523

RIN: 2137-AC54**2794. RETENTION OF SHIPPING PAPERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 172; 49 CFR 174; 49 CFR 175; 49 CFR 176; 49 CFR 177**Legal Deadline:** None

Abstract: This action proposes to amend the Hazardous Materials Regulations by requiring shippers and carriers to retain a copy of the hazardous material shipping paper or an electronic image of the shipping paper for a period of one year. Retention of shipping papers is a current requirement as specified in 49 U.S.C. 5110(e). RSPA's next action is undetermined because there is pending proposed legislation on this subject that would clarify the time frame for beginning the one-year cycle.

DOT—RSPA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** None**Additional Information:** Docket No. HM-207B.

Agency Contact: Deborah Boothe, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-8553

Email: rules@rspa.dot.gov

RIN: 2137-AC64

2795. +APPLICABILITY OF THE HAZARDOUS MATERIALS REGULATIONS TO LOADING, UNLOADING, AND STORAGE

Regulatory Plan: This entry is Seq. No. 105 in Part II of this issue of the Federal Register.

RIN: 2137-AC68

2796. HAZARDOUS MATERIALS: REQUIREMENTS FOR CARGO TANKS

Priority: Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 107; 49 CFR 173; 49 CFR 178; 49 CFR 180**Legal Deadline:** None

Abstract: This rulemaking proposes to revise and clarify certain manufacturing, maintenance and use requirements pertaining to cargo tank motor vehicles that may be used for hazardous materials transportation. FMCSA inspections have resulted in a preliminary determination that these regulations need to be amended to make them more practical, understandable, and enforceable.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Organizations, Businesses, Governmental Jurisdictions**Government Levels Affected:** None**Additional Information:** HM-213.

Agency Contact: Michael Johnsen, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-8553

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RIN: 2137-AC90

2797. PIPELINE SAFETY: FURTHER REGULATORY REVIEW; GAS PIPELINE SAFETY STANDARDS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192**Legal Deadline:** None

Abstract: This action would change miscellaneous gas pipeline safety standards to provide clarity, eliminate unnecessary or overly burdensome requirements, and foster economic change. Some of the proposed changes result from RSPA's further review of the standards following its 1995-1996 review under the President's Regulatory Reinvention Initiative. Other changes are based on recommendations by the National Association of Pipeline Safety Representatives (NAPSR) in its November 1992 report on the standards. The proposed changes would reduce costs in the pipeline industry without compromising safety.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Additional Information: Docket No. PS-124. The NAPSR report was published November 9, 1993, at 58 FR 59431, as part of the earlier review of the standards.

Early in 1992, RSPA began an extensive review of the federal gas pipeline safety

regulations (49 CFR 192) and invited the public to participate (57 FR 4745; February 7, 1992). RSPA published a Notice of Proceed Rulemaking (NPRM), proposing changes to 38 regulations in part 192 (Notice 1: 57 FR 39572; August 31, 1992). In addition, the National Association of Pipeline Safety Representatives (NAPSR) reported on a separate but related review of part 192. Because the NAPSR report concerned a few of the regulations covered by the NPRM and had similar objectives, we published the report and requested public comment on its various recommended rule changes (Notice 2: 58 FR 59431; November 9, 1992) and later extended the comment period (Notice 3: 58 FR 68382; December 27, 1993). A final rule was published on June 6, 1996.

However, not all the changes suggested by the commenters were incorporated in the final rule. A further review of the regulations in Part 192, based on the record in this docket, was initiated in late 1996. This review identified proposals from the Gas Piping Technology Committee (GPTC), the ASME B31.8 (gas pipeline safety standards) committee, and NAPSR that have not yet been addressed.

In October 1997, NAPSR and the gas pipeline industry formed the State Industry Regulatory Review Committee (SIRRC), to discuss the regulatory proposals of NAPSR and other issues. On May 3, 1999, the SIRRC provided OPS a report on outcome of the discussion on 329 proposed changes in the gas pipeline safety regulations.

Most of the SIRRC recommendations will be addressed in a subsequent notice in this docket. The welding recommendations are being adopted in the periodic update (Docket No. RSPA-99-6106) which will be published by April 2000. The corrosion control recommendations are being considered in a review of the pipeline corrosion regulations in Docket No. RSPA-97-2762.

Agency Contact: Richard Huriaux, Director, Technology & Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-4565

RIN: 2137-AD01

DOT—RSPA

Proposed Rule Stage

2798. +PIPELINE SAFETY: RECOMMENDATIONS TO CHANGE HAZARDOUS LIQUID PIPELINE SAFETY STANDARDS**Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 49 USC 60101 to 60128**CFR Citation:** 49 CFR 195**Legal Deadline:** None

Abstract: In 1995, the National Association of Pipeline Safety Representatives (NAPSR) completed its review of the hazardous liquid pipeline safety regulations. NAPSR provided RSPA with 28 recommendations for changes to 49 CFR part 195, the hazardous liquid pipeline regulations. NAPSR's recommendations are aimed at making the regulations more explicit, understandable, and enforceable. This action would address the need to change Part 195 as NAPSR recommended.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Docket No. RSPA-97-2717.

Agency Contact: L. M. Furrow, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4559

RIN: 2137-AD10**2799. HAZARDOUS MATERIALS: REVISIONS TO STANDARDS FOR INFECTIOUS SUBSTANCES****Priority:** Substantive, Nonsignificant**Legal Authority:** 33 USC 1321; 49 USC 5101 to 5127**CFR Citation:** 49 CFR 171; 49 CFR 172; 49 CFR 173; 49 CFR 174; 49 CFR 175; 49 CFR 176; 49 CFR 177; 49 CFR 178**Legal Deadline:** None

Abstract: This rulemaking proposes to amend the Hazardous Materials Regulations to provide for the transport of infectious medical waste in bulk packagings, remove the blanket

exception for transporting biological products and diagnostic specimens and revise the definition, hazardous communication, and packaging requirements for other infectious substances to make them consistent with international transportation requirements. RSPA held a public meeting on the ANPRM via the internet.

Timetable:

Action	Date	FR Cite
ANPRM	09/02/98	63 FR 46844
ANPRM Comment Period End	12/01/98	
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None**Additional Information:** Docket No. HM-226. DMS Docket No. RSPA- 98-3971.

Agency Contact: Eileen Edmonson, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD13**2800. HAZARDOUS MATERIALS: REVISIONS TO THE INCIDENT REPORTING REQUIREMENTS AND THE DETAILED HAZARDOUS MATERIALS INCIDENT REPORT DOT FORM****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5105 to 5127**CFR Citation:** 49 CFR 171**Legal Deadline:** None

Abstract: This rulemaking reviews the hazardous materials incident reporting regulations in 49 CFR part 171, including the hazardous materials incident report (form 5800.1). The goal of this rulemaking is to simplify, update and review the requirements while enhancing the ability of the

Research and Special Programs Administration and the DOT modal administrations to gather information vital to increasing safety of transporting hazardous materials.

Timetable:

Action	Date	FR Cite
ANPRM	03/23/99	64 FR 13943
Comment Period End	06/21/99	
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal**Additional Information:** Docket No. HM-229.

Agency Contact: Diane LaValle, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
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RIN: 2137-AD21**2801. PIPELINE SAFETY: CORROSION CONTROL ON GAS AND HAZARDOUS LIQUID PIPELINES****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192; 49 CFR 195**Legal Deadline:** None

Abstract: The corrosion-control regulations for gas and hazardous liquid pipelines will be revised to incorporate the latest safety standards for corrosion protection of steel pipe. Specific criteria for corrosion protection will be incorporated into the federal pipeline safety regulations, including the adoption of voluntary consensus standards of recognized standards-setting organizations. Comparable standards will be applied to both gas and hazardous liquid pipelines.

Timetable:

Action	Date	FR Cite
Notice of Public Meeting	04/07/99	64 FR 16885

DOT—RSPA

Proposed Rule Stage

Action	Date	FR Cite
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NPRM - Hazardous Liquid Pipelines	11/00/00	
NPRM - Gas Pipelines	03/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local**Additional Information:** Docket No. RSPA-97-2762. Notice of public meeting 10/29/97 (62 FR 56141).**Agency Contact:** L.M. Furrow, Manager, Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4559**RIN:** 2137-AD24**2802. PIPELINE SAFETY: PRESSURE TESTING OLDER PIPELINES IN TERMINALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 195.302**Legal Deadline:** None**Abstract:** Certain older pipelines in terminals and tank farms must be pressure tested before December 7, 2003. Based on a petition, RSPA is reconsidering this testing requirement in light of the risk and low operating stress of these pipelines. RSPA has stayed enforcement of the testing requirement against pipelines designed not to operate above 20 percent of specified minimum yield strength.**Timetable:**

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Additional Information:** Docket No. RSPA-98-4316. Notice requesting comment 2/10/98 (63 FR 6677) in Docket No. PS-121.**Agency Contact:** Mike Israni, General Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4571

Email: mike.israni@rspa.dot.gov

RIN: 2137-AD26**2803. HAZARDOUS MATERIALS: HAZARD COMMUNICATION REQUIREMENTS—PETITIONS FOR RULEMAKING AND MISCELLANEOUS AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 171; 49 CFR 172**Legal Deadline:** None**Abstract:** This rulemaking action would amend the Hazardous Materials Regulations (HMR) to continue improving the hazard communication requirements to better identify hazardous materials in transportation, in response to several petitions for rulemaking and RSPA initiatives. The primary areas that would be addressed are shipping papers, marking, labeling, and placarding requirements. In making improvements to the hazardous materials identification system in the HMR, the proposed action is intended to improve safety for transportation workers, emergency responders, and the public. The effect of the proposed regulatory action would be to simplify, clarify, correct, or provide relief from certain regulatory requirements.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Docket No. HM-206B**Agency Contact:** Helen Engrum, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov
RIN: 2137-AD28**2804. HAZARDOUS MATERIALS: AIR CARRIER EMERGENCY TELEPHONE NUMBER REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 172; 49 CFR 175**Legal Deadline:** None**Abstract:** The notice solicits comments on the merits of safety recommendations from the National Transportation Safety Board to require that air carriers transporting hazardous materials have the means, 24 hours per day, to quickly retrieve and provide to emergency responders consolidated specific information about the identify and location of all hazardous materials on an aircraft in a timely manner.**Timetable:**

Action	Date	FR Cite
ANPRM	08/15/00	65 FR 49777
ANPRM Comment Period End	11/13/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Docket No. HM-206C**Agency Contact:** John A. Gale, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov**RIN:** 2137-AD29**2805. +HAZARDOUS MATERIALS SAFETY: TRANSPORTATION OF OXYGEN CYLINDERS ON AIRCRAFT****Priority:** Other Significant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 172; 49 CFR 175**Legal Deadline:** None**Abstract:** RSPA proposes to amend the Hazardous Materials Regulations to require cylinders of oxygen to be placed in an outer container that meets certain thermal and heat protections requirements when transported on aircraft. This rule has no impact on the use of passenger-owned oxygen cylinders. This rule is significant due to public interest.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

DOT—RSPA

Proposed Rule Stage

Government Levels Affected:

Undetermined

Additional Information: HM Docket: HM-224B. A separate rulemaking addressing the use of passenger owned cylinders of oxygen during a flight is under RIN 2105-AC29.

Agency Contact: John A. Gale, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov
RIN: 2137-AD33

2806. +HAZARDOUS MATERIALS: SAFETY REQUIREMENTS FOR EXTERNAL PRODUCT PIPING ON CARGO TANKS TRANSPORTING FLAMMABLE LIQUIDS

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 173; 49 CFR 180

Legal Deadline: None

Abstract: This rulemaking proposes requirements to reduce the risks associated with the retention of flammable liquid in unprotected product piping on a cargo tank motor vehicle during transportation (Wetlines).

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM Docket: HM-213B.

Agency Contact: Michael Stevens, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov
RIN: 2137-AD36

2807. HAZARDOUS MATERIALS: ADOPTION OF LATEST IAEA AND OTHER MISCELLANEOUS REVISIONS AND CLARIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 180

Legal Deadline: None

Abstract: This rulemaking proposes to harmonize the requirements for the packaging and transportation of Class 7 (radioactive) materials with the International Atomic Energy Agency (IAEA) regulations for the safe transportation of radioactive material and the UN recommendations.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/99	64 FR 72633
Extension of Comment Period	03/01/00	65 FR 11028
ANPRM Comment Period End	03/29/00	
Comment Period Closed	06/29/00	
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM-230.

Agency Contact: Charles E. Betts, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov
RIN: 2137-AD40

2808. HARMONIZATION WITH THE UNITED NATIONS RECOMMENDATIONS, INTERNATIONAL MARITIME DANGEROUS GOODS CODE, AND INTERNATIONAL CIVIL AVIATION ORGANIZATION'S TECHNICAL INSTRUCTIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171 to 180

Legal Deadline: None

Abstract: RSPA proposes to amend the Hazardous Materials Regulations (HMR) to maintain alignment with the international standards by incorporating numerous changes to

proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air-transport quantity limitations and vessel stowage requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM-215D.

Agency Contact: Joan McIntyre, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov
RIN: 2137-AD41

2809. PIPELINE SAFETY: PRODUCER-OPERATED OUTER CONTINENTAL SHELF GAS AND HAZARDOUS LIQUID PIPELINES THAT CROSS DIRECTLY INTO STATE WATERS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 et seq

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: This proposed rule would implement a provision of the December 10, 1996 Memorandum of Understanding (MOU) between the Department of the Interior (DOI) and the Department of Transportation (DOT) regarding Outer Continental Shelf (OCS) Pipelines. This rule would address producer-operated pipelines that cross into State waters without first connecting with a transporting operator's facility on the OCS. It is complementary to the Direct Final Rule that addressed OCS oil or gas pipelines located upstream of the points at which operating responsibility for the pipelines transfers from a producing operator to a transporting operator (62 FR 61692, November 19, 1997; and 63 FR 126598, March 16, 1998). The proposed rule also would address the procedures by which producer and transportation pipeline operators would petition for permission to operate under either DOT or DOI regulations governing pipeline design,

DOT—RSPA

Proposed Rule Stage

construction, operation, and maintenance according to the operational circumstances of their respective pipelines.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-99-6132.

Agency Contact: L.E. Herrick, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5523

RIN: 2137-AD42

2810. HAZARDOUS MATERIALS: MISCELLANEOUS AMENDMENTS FOR UNLOADING IM PORTABLE TANKS ON A TRANSPORT VEHICLE

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 177

Legal Deadline: None

Abstract: RSPA responds to a petition for rulemaking regarding the requirements applicable to the unloading of IM portable tanks while on a transport vehicle.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM-218A.

Agency Contact: Joan McIntyre, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD44

2811. HAZARDOUS MATERIALS: RELOCATION OF REGISTRATION AND TRAINING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107, subpart G; 49 CFR 171

Legal Deadline: None

Abstract: This action will propose to relocate subpart G of part 107 and subpart H of part 172 into part 171 of the HMR. This move will clarify the applicability of these requirements and will assist in the enforcement of these requirements, especially by States. This move will make the hazardous materials registration program part of the Hazardous Materials Regulations (HMR) and thereby provide states with the authority and responsibility for enforcing registration, in addition to other HMR requirements. This is appropriate since states are primary beneficiaries of the grants programs funded by the registration fees.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM Docket: HM-218B

Agency Contact: Joan McIntyre, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD46

2812. HAZARDOUS MATERIALS: TRANSPORTATION OF LITHIUM BATTERIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172 to 175

Legal Deadline: None

Abstract: RSPA is evaluating the current exceptions applicable to lithium batteries and evaluating which exceptions should be eliminated or revised.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM Docket: HM-224C

Agency Contact: John A. Gale, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD48

2813. • PIPELINE SAFETY: PIPELINE INTEGRITY MANAGEMENT IN HIGH CONSEQUENCE AREAS (HAZARDOUS LIQUID OPERATORS WITH LESS THAN 500 MILES OF PIPELINE)

Priority: Substantive, Nonsignificant

Legal Authority: 49 U.S.C. 5121; 49 U.S.C. 60102 to 60104; 49 U.S.C. 60117 to 60118; 49 U.S.C. 60124; 49 CFR 1.53

CFR Citation: 49 CFR 195

Legal Deadline: None

Abstract: On April 24, 2000, RSPA's Office of Pipeline Safety (OPS) issued a Notice of Proposed Rulemaking to establish new requirements for protection of populated areas, commercially navigable waterways and areas unusually sensitive to environmental damage from hazardous liquid pipeline spills. The published proposed rule applies to hazardous liquid pipeline operators who own or operate 500 or more miles of pipelines. Through this document, OPS is proposing similar requirements for the remaining hazardous liquid pipelines. The proposed rule includes requirements for integrity assessment and evaluation of pipeline segments that could affect above high consequence areas, as well as the need to consider additional preventive and mitigative actions to protect these locations from pipeline spills. In these high consequence areas, OPS is proposing that an operator develop and follow an integrity management program that continually assesses and evaluates the integrity of those

DOT—RSPA

Proposed Rule Stage

pipelines that could affect a high consequence area, through international inspection or pressure testing, and data integration and analysis.

Through this required program, OPS expects operators to comprehensively evaluate the entire range of threats to pipeline integrity by analyzing all available information about the pipeline and consequences of a failure. This would include information on the potential for damage due to excavation, data gathered through the required integrity assessment, results of other inspections and tests required by the pipeline safety regulations, including corrosion control monitoring and cathodic protection surveys, and information about how a failure could affect the high consequence areas, such as location of water intakes. The proposed rule requires an operator to take prompt action to address the integrity issues raised by the assessment and analysis. This means an operator must evaluate and repair all defects that could reduce a pipeline's integrity according to specified risk criteria. The integrity of these pipelines would be further assured through other

remedial actions, and preventive and mitigative measures.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-00-7408.

Agency Contact: Mike Israni, General Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4571
Email: mike.israni@rspa.dot.gov

RIN: 2137-AD49

2814. • HAZARDOUS MATERIALS: REVISION OF THE REQUIREMENTS FOR HAZARDOUS WASTE MANIFESTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101-5127

CFR Citation: 49 CFR 172

Legal Deadline: None

Abstract: The NPRM proposes to update the Hazardous Waste Manifest requirements to accommodate changes the Environmental Protection Agency has proposed, including the use of electronic versions of the Hazardous Waste Manifest and electronic signatures.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: State, Local, Tribal, Federal

Additional Information: HM Docket: HM-206E

Agency Contact: Michael Johnsen, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD50

Department of Transportation (DOT)

Final Rule Stage

Research and Special Programs Administration (RSPA)

2815. QUANTITY LIMITATIONS ABOARD AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 175

Legal Deadline: None

Abstract: This action responded to a petition for rulemaking that proposed to remove the fifty-pound limit on the quantity of hazardous materials that may be stowed in an inaccessible cargo location on passenger-carrying aircraft. Comments to the NPRM indicated that further evaluation is needed. RSPA has decided to withdraw this proposal and consider the petition for rulemaking in its overall revision of 48 CFR part 175, in HM-228, RIN 2317-AD18.

Timetable:

Action	Date	FR Cite
ANPRM	04/06/84	49 FR 13717
ANPRM Comment Period End	09/01/84	
NPRM	02/13/85	50 FR 6013

Action	Date	FR Cite
NPRM Comment Period End	05/30/85	
To Be Withdrawn	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: This project was formerly entitled: Limitation Aboard Aircraft. Docket HM-192. A related rulemaking is "Prohibition of Oxidizers Aboard Aircraft," HM-224A, RIN 2127-AC92. The proposal will be considered as part of HM-228, RIN 3217-AD18.

ANALYSIS: Regulatory Evaluation, 02/13/85, 50 FR 6013

Agency Contact: Deborah Boothe, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration,

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Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AA85

2816. +REQUIREMENTS FOR CYLINDERS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 172; 49 CFR 173; 49 CFR 178

Legal Deadline: None

Abstract: This rulemaking proposes amendments to the Hazardous Materials Regulations (HMR) to update and consolidate requirements for the manufacture, maintenance,

DOT—RSPA

Final Rule Stage

requalification, repair, and use of compressed gas cylinders. RSPA proposed changes affecting: the manufacture of compressed gas cylinders; addition of certain new DOT specifications and to revise requirements applicable to the maintenance, requalification, and repair of all DOT specification cylinders (including those cylinders that may no longer be manufactured). RSPA also proposed to simplify the requirements for filling cylinders and consolidate and revise requirements applicable to persons who requalify cylinders. This rulemaking recognizes advances in cylinder manufacturing technology and will clarify and simplify regulatory requirements. This rulemaking, which affects persons who manufacture, requalify, repair, refill and use compressed gas cylinders, is of significant interest to the compressed gas industry. RSPA is reviewing the comments and is in the process of evaluating various alternative actions.

Timetable:

Action	Date	FR Cite
NPRM	10/30/98	63 FR 58460
NPRM Comment Period End	05/28/99	
Extension of Comment Period	05/28/99	64 FR 28065
Comment Period Closed	09/30/99	
Final Rule	01/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: Formerly entitled Review: Consolidation of Specifications for High-Pressure Seamless Cylinders. Docket No. HM-220.

Agency Contact: Charles Betts, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AA92

2817. +MAPS AND RECORDS OF PIPELINE LOCATIONS AND CHARACTERISTICS; NOTIFICATION OF STATE AGENCIES; PIPE INVENTORY

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: Final, Statutory, November 1, 1989.

Abstract: This action proposes to equalize as far as possible the requirements that gas and hazardous liquid pipeline operators keep maps and records to show the location and other characteristics of pipelines. Operators would be required to keep an inventory of pipe and periodically report mileage and other facts. In addition, operators would be required to provide certain information to State agencies upon request. This is a significant action because of congressional and State concerns about the need for appropriate public officials to have pipeline information.

Timetable:

Action	Date	FR Cite
Public Notice	05/07/97	62 FR 25013
Notice and Request for Comments	08/26/97	62 FR 45287
Public Workshops	07/01/98	63 FR 36030
To Be Withdrawn	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. RSPA-97-2426. In furtherance of this rulemaking, the Department of Transportation's Office of Pipeline Safety (OPS) is working with other Federal and State agencies and pipeline industry to create a national pipeline mapping system. This system, when complete, will show the location and selected attributes of the major natural gas and hazardous liquid pipelines and liquefied natural gas facilities operating in the United States. OPS will add additional data layers into the system, including layers on population densities, unusually sensitive areas, natural disaster probability and high consequence areas, hydrography, and transportation networks. OPS will use the system to depict pipelines in relation to the public and the environment, and to work with other

government agencies and industry during an incident.

A joint government/industry Mapping Quality Action Team (MQAT II) drafted national pipeline mapping standards that are being used to create the digital pipeline layer. These include standards for electronic data submissions, paper map submissions, and metadata (data on the data). The team also drafted standards that are being used by the pipeline mapping repository receiving the pipeline information. The team has pilot tested the draft standards and established relationships with State agencies, industry, and others to exchange data that meets the standards.

The National Pipeline Mapping System (NPMS) is a full-featured geographic information system that allows the Office of Pipeline Safety (OPS), for the first time, to accurately view pipelines in relation to the communities and environments they cross. The pipeline data layers being assembled cover both interstate and intrastate natural gas transmission pipelines and hazardous liquid trunk lines. In conjunction with the pipeline data layers, the NPMS contains lawyers depicting population, urbanized areas, political boundaries, roads, railroads, hydrography, consequence and hazard areas, and usually sensitive areas (being developed). The NPMS will eventually include three accurate base data layers of differing scale derived from USGS hard-copy quads. The base layers not only provide an accurate base on which to view the location of pipelines but also contain important textual information such as places, roads, contours, and hydrography.

OPS has worked with the interstate natural gas transmission and hazardous liquid trade associations to identify a mapping contact for each operator. The operators have been contacted and OPS is assisting them in preparing their data for submission. Many of these operators have data in a digital format, which theoretically is easier and less time-consuming to process than hard-copy maps. OPS is currently working with the intrastate natural gas trade associations to recruit widespread participation in the NPMS by intrastate natural gas transmission pipeline companies.

The NPMS currently consists of a single National Repository and twelve state repositories located in Alabama, California, Connecticut, Kansas,

DOT—RSPA

Final Rule Stage

Kentucky, Louisiana, Maine, Minnesota, New Jersey, Oklahoma, Pennsylvania, and Texas. OPS published two more Commerce Business Daily announcements in February 2000 - one for additional state repositories and the other for a regional repository.

OPS has set a goal of collecting 70% of the liquid trunk line and natural gas transmission pipeline data by the end of the year 2000. OPS regulates approximately 157,000 miles of liquid trunk line and 352,000 miles of natural gas transmission pipelines for a total of 509,000 miles. To date, the NPMS has received 25,514.5 miles of pipeline data from eleven (11) operators. This represents 5.41% of the total pipeline mileage. The 5.41% received does not include digital data that is contained in state repositories, such as Texas, that require additional processing before being acceptable to NPMS.

Most operators contacted by OPS have indicated that they will begin submitting data to the NPMS during the second through fourth quarters of 2000. OPS has been recommending that operators make partial submissions throughout the year rather than waiting and making one large submission towards the end of 2000.

Agency Contact: Christina Sames, Petroleum Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4561

RIN: 2137-AB48

2818. PASSAGE OF INTERNAL INSPECTION DEVICES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None

Abstract: This rulemaking established minimum Federal pipeline safety standards requiring that new and replacement gas transmission and hazardous liquid pipelines be designed to accommodate the passage of internal inspection devices. In response to petitions for reconsideration of the final rule, an additional NPRM was issued proposing to limit the rule with respect to new and existing offshore gas transmission lines and the replacement

of onshore gas transmission lines in rural areas.

Timetable:

Action	Date	FR Cite
NPRM	11/20/92	57 FR 54745
NPRM Comment Period End	01/19/93	
Final Rule	04/12/94	59 FR 17275
NPRM	09/30/94	59 FR 49896
NPRM Correction	10/19/94	59 FR 52863
Limited Suspension of Enforcement	02/07/95	60 FR 7133
Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. PS-126. The integrity testing proposal in "Proposals for Pipeline Safety," RIN 2137-AB27, was consolidated, in part, into this rulemaking. The final rule (59 FR 17275; April 12, 1994) amended the gas and hazardous liquid pipeline safety regulations to require that new and certain replacement pipelines be designed and constructed to accommodate the passage of instrumented internal inspection devices ('smart pigs'). This action was in response to a mandate in the Pipeline Safety Reauthorization Act of 1988. The intended effect of these amended regulations was to improve the safety of gas, hazardous liquid, and carbon dioxide pipelines by permitting their inspection by 'smart pigs' using the latest technology for detecting and recording abnormalities in the pipe wall. This rule required new and replacement pipelines to be capable of passing a 'pig' for internal inspection.

In response to two petitions for reconsideration, Notice 2 (59 FR 49896; September 30, 1994) was published to extend the compliance date for existing gas transmission lines and to modify the requirement for modification of line sections based on partial replacement of gas transmission pipelines located offshore and in rural areas.

Subsequently, Notice 3 (60 FR 7133; February 7, 1995) was published to suspend enforcement of the final rule requirements for new and existing offshore gas transmission lines and for modifications to line segments based on partial replacement of pipe in existing onshore gas transmission lines. This stay was in response to extensive comments and recommendations from the Technical Pipeline Safety Standards

Committee (TPSSC) with regard to Notice 2. Nonetheless, hazardous liquid pipelines, carbon dioxide pipelines, new onshore gas transmission lines, must comply with the final rule of April 1994.

A final rule in response to the petitions, public comments, and recommendations from the advisory committee is being prepared for publication by June 2001.

ANALYSIS: Regulatory Evaluation, 04/12/94, 59 FR 17275

Agency Contact: Richard Huriaux, Manager - Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565

RIN: 2137-AB71

2819. +RESPONSE PLANS FOR ONSHORE OIL PIPELINES

Priority: Other Significant

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 194

Legal Deadline: Final, Statutory, August 18, 1992.

Abstract: The interim final rule established regulations requiring response plans for certain onshore oil pipelines. Those regulations are mandated by the Federal Water Pollution Control Act as amended by the Oil Pollution Act of 1990 (Pub. L. 101-380). Pipeline operators filed response plans under this interim final rule, and numerous tabletop exercises and area exercises have been conducted to validate the planning process. The purpose of these requirements is to improve response capabilities and minimize the impact of onshore oil spills from pipelines. This rule is significant because of substantial public and congressional interest. The final rule will reflect the experience gained under the interim final rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/05/93	58 FR 244
Comment Period End	02/19/93	
Notice of Public Meeting	06/15/94	59 FR 30755
Notice of Public Hearing	11/29/96	61 FR 60679
Correction	01/21/97	62 FR 2989
Final Rule	10/00/00	

DOT—RSPA

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Docket No. PS-130.

ANALYSIS: Regulatory Evaluation, 01/05/93, 58 FR 244

Agency Contact: James Taylor, Response Plans Officer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8860**RIN:** 2137-AC30**2820. PIPELINE SAFETY: UNDERWATER ABANDONED PIPELINE FACILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 192; 49 CFR 195**Legal Deadline:** Final, Statutory, April 24, 1994.**Abstract:** This action will require operators of gas and hazardous liquid pipeline facilities to report certain information about abandoned underwater pipelines, including location, size, date of abandonment, and compliance with applicable laws. The information will be available for use by other Federal agencies and state authorities.**Timetable:**

Action	Date	FR Cite
NPRM	08/30/99	64 FR 47157
Final Rule	10/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Additional Information:** Docket No. RSPA-97-2094.**Agency Contact:** L.E. Herrick, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-5523**RIN:** 2137-AC33**2821. +PIPELINE SAFETY: AREAS UNUSUALLY SENSITIVE TO ENVIRONMENTAL DAMAGE (USAS)****Priority:** Other Significant**Legal Authority:** 49 USC 60101 to 60125**CFR Citation:** 49 CFR 195**Legal Deadline:** Final, Statutory, October 24, 1994.**Abstract:** In response to a statutory mandate, this action will establish criteria for identifying areas near hazardous liquid pipelines that are unusually sensitive to environmental damage if a pipeline accident occurs. The criteria are being developed in consultation with the Environmental Protection Agency and other agencies. Criteria for identification of unusually sensitive areas will be pilot-tested in 1999 to 2000.**Timetable:**

Action	Date	FR Cite
Supplemental Notice	06/22/94	59 FR 32178
Extended Comment Period End	06/26/95	
NPRM	12/30/99	64 FR 73464
Comments	06/27/00	
Final Rule	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Docket No. RSPA-99-5455, formerly designated as Docket No. PS-140. A series of public workshops were conducted in 1996 and 1997. Additional workshops will be scheduled as necessary. Pilot testing of USA guidance is now underway in cooperation with the American Petroleum Institute. Public workshop held on April 27 and 28, 2000.**Agency Contact:** Christina Sames, Petroleum Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4561**RIN:** 2137-AC34**2822. FILLING OF PROPANE CYLINDERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 173**Legal Deadline:** None**Abstract:** The ANPRM solicited comments on the merits of a petition for rulemaking to require registration and training of persons who fill propane cylinders, certification of filling equipment operators, and proof of financial responsibility. The petition would also allow filling of propane cylinders by volume rather than by weight, which is currently required by the hazardous material regulations. A Federal Register notice will terminate rulemaking action in this docket and deny the petition for rulemaking because, based on the comments, there is no safety justification for imposing the costs of a registration, training and financial responsibility program for cylinder fillers.**Timetable:**

Action	Date	FR Cite
ANPRM	09/23/96	61 FR 43515
ANPRM Comment Period End	11/21/96	
To Be Withdrawn	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** None**Additional Information:** Docket No. HM-220C.**Agency Contact:** Eileen Edmonson, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov**RIN:** 2137-AC86**2823. HAZARDOUS MATERIALS: REVISED AND CLARIFIED HAZARDOUS MATERIALS SAFETY RULEMAKING AND PROGRAM PROCEDURES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 49 USC 5101 to 5127**CFR Citation:** 49 CFR 106; 49 CFR 107**Legal Deadline:** None

DOT—RSPA

Final Rule Stage

Abstract: This rulemaking will make minor substantive changes to 49 CFR parts 106 and 107 of the hazardous materials procedural regulations, and will result in a revision of those parts in language that is easier to understand. This action is being taken in order to update RSPA's hazardous materials procedural regulations and to rewrite the current requirements in a new question and answer format that will be more user-friendly.

Timetable:

Action	Date	FR Cite
NPRM	12/11/98	63 FR 68624
NPRM Comment Period End	02/09/99	
Final Rule	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Undetermined

Additional Information: Docket No. RSPA-98-3974. (RSP-4)

Agency Contact: Karin Christian, Attorney, Room 8407, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4400
Email: rules@rspa.dot.gov

RIN: 2137-AD20

2824. PIPELINE SAFETY: ENFORCEMENT PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 60101 to 60125

CFR Citation: 49 CFR 190.209; 49 CFR 190.213

Legal Deadline: None

Abstract: This action will revise RSPA's pipeline safety enforcement procedures to minimize paperwork in uncontested cases where a person pays a proposed civil penalty or agrees to a proposed compliance order. The procedures will be changed to show that both responses are considered

offenses in determining any future civil penalty assessments. These changes will streamline the enforcement process.

Timetable:

Action	Date	FR Cite
NPRM	08/12/99	64 FR 43972
Comment Period Ends	10/12/99	
Final Rule	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-98-4284. The changes to part 190 modify agency rules of practice and procedure.

Agency Contact: Linda Daugherty, Enforcement Officer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4577
Email: daugherll@rspa.dot.gov

RIN: 2137-AD22

2825. PIPELINE SAFETY: PERIODIC UPDATES TO PIPELINE SAFETY REQUIREMENTS (1999)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 60101 et seq

CFR Citation: 49 CFR 190-199

Legal Deadline: None

Abstract: This periodic update revises and updates the pipeline safety regulations to provide clarity and remove unnecessary burdens to the regulated pipeline community. Revisions include updated references to voluntary specifications and standards incorporated by reference in the pipeline safety regulations, and various clarifications and grammatical corrections. These updates reflect the most recent editions of each specification and standard incorporated by reference. These updates enable pipeline operators to utilize current technology, materials, and practices, thereby reducing costs and enhancing economic growth.

Timetable:

Action	Date	FR Cite
NPRM	03/22/00	65 FR 15290
Final Rule	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-99-6106

Agency Contact: Richard Huriaux, Manager - Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565

RIN: 2137-AD35

2826. HAZARDOUS MATERIALS: LIMITED EXTENSION OF REQUIREMENTS FOR LABELING CERTAIN SHIPMENTS OF MATERIALS POISONOUS BY INHALATION (PIH)

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171; 49 CFR 172

Legal Deadline: None

Abstract: The interim final rule responded to a June 17, 1999 petition for rulemaking. It delayed the implementation date of a new labeling provision for hazard communication relating to shipments of hazardous materials, including ones that are poisonous by inhalation (PIH). RSPA delayed the mandatory compliance date for use of the new PIH labels for certain international shipments from October 1, 1999 to October 1, 2001. The interim final rule facilitates international commerce and provides more time for the UN Committee of Experts to consider U.S. proposals on adoption of the new labels and placards.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/16/99	64 FR 50260
Interim Final Rule Effective	10/01/99	
Interim Final Rule Comment Period End	11/15/99	
Final Rule	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

DOT—RSPA

Final Rule Stage

Additional Information: HM-206D.

Agency Contact: Helen L. Engrum, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD37

2827. REVISIONS; DEFINITION OF ADMINISTRATOR

Priority: Info./Admin./Other

Legal Authority: 33 USC 1321; 49 USC 5101 to 5127, 44701, 60101 et seq; PL 104-121, sec 212 to 213; 49 CFR 1.45 and 1.53

CFR Citation: 49 CFR 171 to 180; 49 CFR 190 to 199

Legal Deadline: None

Abstract: Modifies or adds the definition of "Administrator" for clarification and consistency within the RSPA regulations.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Astrid Lopez-Goldberg, Attorney, Department of Transportation, Research and Special Programs Administration
Phone: 202 366-4400

RIN: 2137-AD43

2828. +PIPELINE SAFETY: PIPELINE INTEGRITY MANAGEMENT IN HIGH CONSEQUENCE AREAS (HAZARDOUS LIQUID OPERATORS WITH 500 OR MORE MILES OF PIPELINE)

Priority: Other Significant

Legal Authority: 49 USC 5121, 60102, 60103, 60104, 60108, 60177, 60118, 60124; 49 CFR 1.53

CFR Citation: 49 CFR 195

Legal Deadline: None

Abstract: RSPA proposed regulations to validate pipe integrity of most hazardous liquid pipelines in high-density population areas, waters where commercial navigation exists, and areas unusually sensitive to environmental damage. In these proposed high consequence areas, OPS will propose requirements for increased inspection/testing, enhanced damage prevention, improved emergency response, and other measure to prevent and mitigate pipeline leaks and ruptures. The proposal will allow an operator to choose between an OPS-prescribed testing program or an operator-developed integrity management program that includes testing.

Timetable:

Action	Date	FR Cite
NPRM	04/24/00	65 FR 21695
NPRM Comment Period End	06/23/00	
Final Rule	11/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Docket No. RSPA-99-6355

Agency Contact: Mike Israni, General Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4571
Email: mike.israni@rspa.dot.gov

RIN: 2137-AD45

2829. • HAZARDOUS MATERIALS: MINOR EDITORIAL CORRECTIONS AND CLARIFICATIONS

Priority: Routine and Frequent

Legal Authority: 49 U.S.C. 5101-5127

CFR Citation: 49 CFR 106-107; 49 CFR 110; 49 CFR 171-176; 49 CFR 178-180

Legal Deadline: None

Abstract: This final rule corrects inconsistencies in terminology and minor editorial corrections to improve the clarity of the HMR.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM Docket: HM-189R

Agency Contact: Gigi L. Corbin, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW, Washington, DC 20590
Phone: 202 366-8553
Fax: 202 366-3012
Email: rules@rspa.dot.gov

RIN: 2137-AD51

**Department of Transportation (DOT)
Research and Special Programs Administration (RSPA)**

Long-Term Actions

2830. +SAFEGUARDING FOOD FROM CONTAMINATION DURING TRANSPORTATION

Priority: Other Significant

Legal Authority: 49 USC 5701 to 5714

CFR Citation: 49 CFR 1

Legal Deadline: Final, Statutory, August 1, 1991.

Abstract: The Sanitary Food Transportation Act of 1990 (49 USC

5701 et seq.) requires the Secretary of Transportation, in consultation with the Secretaries of Agriculture and Health and Human Services and the Administrator of the Environmental Protection Agency, to issue regulations concerning the transportation of food, food additives, drugs, devices, and cosmetics in motor and rail vehicles also used to transport nonfood products that could pose an unreasonable danger to human or animal health when so

transported. This rulemaking will implement the statutory requirements. This rulemaking is significant because of substantial public and congressional interest. RSPA's next action is undetermined because it has requested personnel resources from Congress necessary to perform these food safety functions.

DOT—RSPA

Long-Term Actions

Timetable:

Action	Date	FR Cite
ANPRM	02/20/91	56 FR 6934
04/29/91	03/21/91	56 FR 11982
NPRM	05/21/93	58 FR 29698
Notice of Public Hearing	05/21/93	58 FR 29698
NPRM Comment Period End	10/18/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: ANALYSIS: Regulatory Evaluation, 05/21/93, 58 FR 29698

Agency Contact: Michael Johnsen, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AC00

2831. HAZARDOUS MATERIALS: REVISION OF REQUIREMENTS FOR CARRIAGE BY RAIL CAR AND MOTOR VEHICLE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 174; 49 CFR 177

Legal Deadline: None

Abstract: This rulemaking is based on a joint petition for rulemaking submitted by the American Trucking Associations, Inc. and the Association of American Railroads. This rulemaking proposes to revise the Hazardous Materials Regulations (HMR) found in 49 CFR parts 174 and 177. The intended impact of the rulemaking is to streamline the requirements of parts 174 and 177, enhance compliance with the HMR and to develop a positive impact on the land surface transportation of hazardous materials.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: Docket No. HM-227.

Agency Contact: Helen Engrum, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD19

2832. HAZARDOUS MATERIALS: REVISED AND CLARIFIED HAZARDOUS MATERIALS EXEMPTIONS PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107

Legal Deadline: None

Abstract: This rulemaking will make minor substantive changes to the hazardous materials exemptions procedures of the hazardous materials procedural regulations and will result in a complete re-write of the exemptions procedures in language that is easier to understand. This action will follow a previous rulemaking which involved re-writing the hazardous materials rulemaking procedures. These actions are being taken to update RSPA's procedural regulations in a new question-and-answer format that will be more user-friendly.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Undetermined

Additional Information: This is follow-on rulemaking to Docket No. RSPA-98-3974 (RSP-4).

Agency Contact: Karin V. Christian, Attorney, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4400

RIN: 2137-AD30

2833. HAZARDOUS MATERIALS: CARGO TANK ROLLOVER REQUIREMENTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect State, local or tribal governments and the private sector.

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 178

Legal Deadline: None

Abstract: The purpose of this advance notice of proposed rulemaking is to request comments concerning the need, if any, for amending the Hazardous Materials Regulations with regard to standards for cargo tank rollover protection devices on specification DOT 406, 407 and 412 cargo tank motor vehicles.

Timetable:

Action	Date	FR Cite
ANPRM	11/16/99	64 FR 62161
ANPRM Comment Period End	05/15/00	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Undetermined

Additional Information: HM Docket: HM-213A

Agency Contact: Hattie L. Mitchell, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553

RIN: 2137-AD34

Department of Transportation (DOT)
Research and Special Programs Administration (RSPA)

Completed Actions

2834. TANK CARS AND CARGO TANK MOTOR VEHICLES: ATTENDANCE REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 174; 49 CFR 177

Legal Deadline: None

Abstract: In 1992, RSPA proposed standards to allow the use of electronic surveillance and monitoring equipment (signaling systems) for unloading tank cars and to revise other unloading requirements for tank cars. This action withdraws the 1992 notice of proposed rulemaking (NPRM) and states that RSPA will address the issues raised in that NPRM, including the proposed rewrite of tank car unloading regulations in rulemaking under RSPA Docket HM-223 (RSPA-98-4952). The HM-223 rulemaking is intended to clarify the applicability of the Hazardous Materials Regulations to specific functions and activities, including hazardous materials loading and unloading operations.

Timetable:

Action	Date	FR Cite
NPRM	09/14/92	57 FR 42466
NPRM Comment Period End	12/14/92	
Withdrawal of NPRM	03/27/00	65 FR 16161

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: Docket No. HM-212. See RSPA docket HM-223 (RSPA 98-4952)

ANALYSIS: Regulatory Evaluation, 09/14/92, 57 FR 42466

Agency Contact: Susan Gorsky, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-8553
 Email: rules@rspa.dot.gov

RIN: 2137-AC24

2835. +HAZARDOUS MATERIALS: SAFETY STANDARDS FOR UNLOADING CARGO TANK MOTOR VEHICLES IN LIQUEFIED COMPRESSED GAS SERVICE

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 171; 49 CFR 173; 49 CFR 178; 49 CFR 180

Legal Deadline: None

Abstract: This rulemaking enhances the safety of cargo tank motor vehicles in liquefied compressed gas service by clarifying and revising existing hazardous materials regulations and by adding new requirements and alternatives regarding emergency discharge control systems, hose management, and vehicle attendance requirements. This action affects all operators of cargo tank motor vehicles in liquefied compressed gas service.

Timetable:

Action	Date	FR Cite
ANPRM	08/18/97	62 FR 44059
NPRM	03/22/99	64 FR 13856
Notice of Negotiated Rulemaking Committee Meeting	04/07/99	64 FR 16882
NPRM Comment Period End	04/21/99	
Final Rule	05/24/99	64 FR 28030
Final Rule Effective	07/01/99	
Final Rule & Response to Petition and Request for Comments	07/08/99	64 FR 36802
Comment Period End	09/07/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations, Businesses

Government Levels Affected: None

Additional Information: Docket No. HM-225A. This rulemaking is related to docket HM-225 (DMS Docket No. RSPA 97-2133, RIN 2137-AC97). RSPA established an advisory committee to address issues in this rulemaking (negotiated rulemaking). No comments received to FR Response to Petition & Request for Comments.

Agency Contact: Susan Gorsky, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-8553

Email: rules@rspa.dot.gov

RIN: 2137-AD07

2836. PIPELINE SAFETY: ADOPTION OF INDUSTRY STANDARDS FOR LIQUEFIED NATURAL GAS FACILITIES

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 60101 to 60128

CFR Citation: 49 CFR 193

Legal Deadline: None

Abstract: This action would replace most of the existing DOT standards governing the siting, design, and construction of liquefied natural gas facilities with an incorporation by reference of the 1996 edition of the National Fire Protection Association (NFPA) document, ANSI/NFPA 59A, "Production, Storage, and Handling of Liquefied Natural Gas." The action, which is based on an NFPA rulemaking petition, is expected to reduce costs to the gas pipeline industry without compromising safety.

Timetable:

Action	Date	FR Cite
NPRM	12/22/98	63 FR 70735
NPRM Comment Period End	03/23/99	
Final Rule	03/01/00	65 FR 10950

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Docket No. RSPA-97-3002. Notice of public meeting (63 FR 5918;2/5/98)

Agency Contact: Mike Israni, General Engineer, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
 Phone: 202 366-4571
 Email: mike.israni@rspa.dot.gov

RIN: 2137-AD11

2837. TRANSPORTATION OF HAZARDOUS MATERIALS; MISCELLANEOUS AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 175; 49 CFR 176; 49 CFR 178; 49 CFR 180; 49 CFR 171; 49 CFR 172; 49 CFR 173; 49 CFR 174

DOT—RSPA

Completed Actions

Legal Deadline: None

Abstract: RSPA makes routine, technical, and minor miscellaneous amendments to the Hazardous Materials Regulations based on petitions for rulemaking and RSPA initiative. Because some of the changes are substantive, RSPA published an NPRM to obtain public comments.

Timetable:

Action	Date	FR Cite
NPRM	09/30/99	64 FR 53166
End Comment Period	11/29/99	
Final Rule	08/18/00	65 FR 50450
Effective Date	10/01/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: Docket No. HM-218. This is a continuation of the rulemakings previously published under the miscellaneous HM-166 rulemaking docket series e.g., HM-166Z, Final Rule; 6/2/94 (59 FR 28487).

Agency Contact: Charles Betts, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590

Phone: 202 366-8553

Email: rules@rspa.dot.gov

RIN: 2137-AD16

2838. +HAZARDOUS MATERIALS TRANSPORTATION: REGISTRATION AND FEE ASSESSMENT PROGRAM

Priority: Other Significant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107

Legal Deadline: None

Abstract: RSPA revised the registration fee structure to collect approximately \$14.3 million to fund the Emergency Preparedness Grants Program to train responders. This action doubles the registration program receipts and thus the monies available for distribution, primarily for State and tribal hazardous materials emergency response training and planning grants. The increased revenues would come from increased fees for some existing registrants (certain shippers and carriers of hazardous materials) and fees from newly required registrants.

Timetable:

Action	Date	FR Cite
NPRM	04/15/99	64 FR 18786
Public Hearing	05/05/99	
Notice of Extension of Comment Period	05/25/99	64 FR 28135
Public Hearing	05/25/99	
NPRM Comment Period Ends	06/14/99	
Public Hearing	06/22/99	
Public Hearing	06/22/99	
Comment Period End	07/02/99	
Final Rule	02/14/00	65 FR 7297
Effective Date	05/01/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: None

Additional Information: Docket No. HM-208C.

Agency Contact: Deborah Boothe, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD17

2839. HAZARDOUS MATERIALS: HAZARDOUS SUBSTANCES—ADDITIONS, REVISIONS AND DELETIONS

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5107 to 5127

CFR Citation: 49 CFR 172.101 app A

Legal Deadline: None

Abstract: RSPA makes minor additions, revisions and deletions to the Hazardous Substance Reportable Quantities (RQ) table to EPA reflect changes in 42 CFR 302.4 Table, which designates hazardous substances and their reportable quantities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). This action is necessary to comply with the Superfund Amendments and Reauthorization Act (SARA) of 1986, which amended ERCLA to mandate that RSPA regulate, under the Hazardous Materials Regulations, all hazardous substances designated by the EPA.

Timetable:

Action	Date	FR Cite
Final Rule	02/14/00	65 FR 7310
Final Rule Effective	08/14/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: HM-145L.

Agency Contact: Michael Johnsen, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD39

2840. HAZARDOUS MATERIALS: EDITORIAL CORRECTIONS AND CLARIFICATION

Priority: Substantive, Nonsignificant

Legal Authority: 49 USC 5101 to 5127

CFR Citation: 49 CFR 107 to 180

Legal Deadline: None

Abstract: The purpose of this final rule is to correct typographical and other editorial errors and to enhance the clarity of certain unclear provisions in the Hazardous Materials Regulations. No notice and comment period was provided because this rule merely makes editorial, nonsubstantive changes.

Timetable:

Action	Date	FR Cite
Final Rule	09/29/00	65 FR 58614

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: HM Docket: HM-189Q

Agency Contact: Michael Stevens, Transportation Specialist, Department of Transportation, Research and Special Programs Administration, Washington, DC 20590
Phone: 202 366-8553
Email: rules@rspa.dot.gov

RIN: 2137-AD47

DOT—RSPA

Completed Actions

2841. • PIPELINE SAFETY: INTERNAL CORROSION IN GAS TRANSMISSION PIPELINES**Priority:** Info./Admin./Other**Legal Authority:** 49 USC 5101-5127**CFR Citation:** None**Legal Deadline:** None**Abstract:** The Office of Pipeline Safety issued this advisory notice to owners and operators of natural gas transmission pipeline systems to advise

them to review their internal corrosion monitoring programs and operations.

Timetable:

Action	Date	FR Cite
Notice	09/05/00	65 FR 53803

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Richard D. Huriaux, Manager - Regulations, Department ofTransportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565Richard Huriaux, Director, Technology & Regulations, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-4565**RIN:** 2137-AD52**Department of Transportation (DOT)
Maritime Administration (MARAD)**

Proposed Rule Stage

2842. +CARGO PREFERENCE REGULATIONS—CARRIAGE OF AGRICULTURAL EXPORTS**Priority:** Other Significant**Legal Authority:** 46 App USC 1101; 1114(b), 1122(d), 1241**CFR Citation:** 46 CFR 381; 49 CFR 1.66**Legal Deadline:** None**Abstract:** This action proposes to clarify the Maritime Administration's cargo preference regulations governing the carriage of agricultural exports. The rulemaking will concern, among other issues, (1) incorporating into Part 381 MARAD's existing rules on priority of service of various U.S.-flag services; (2) clarifying how shipper agencies should comply with the existing provisions of the regulations regarding geographic areas and booking cargo on U.S.-flag vessels before foreign flag vessels; (3) redefining certain terms for clarity to bring them in line with commercial practices; and other related issues. This rule is significant because of public interest.**Timetable:**

Action	Date	FR Cite
ANPRM	01/28/99	64 FR 4382
ANPRM Comment Period End	03/29/99	
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Thomas W. Harrelson, Director, Office of Cargo Preference, Room 8118, Department of Transportation, MaritimeAdministration, 400 Seventh Street SW., Washington, DC 20590
Phone: 202 366-5515**RIN:** 2133-AB37**2843. • UPDATE TO PART 205 - AUDIT APPEALS; POLICY AND PROCEDURE****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 46 USC 1114, 1155, 1176, 1212**CFR Citation:** 46 CFR 205**Legal Deadline:** None**Abstract:** In this action, MARAD is updating to amend its regulations by removing part 205 of 46 CFR, "Audit Appeals; Policy and Procedure". This part establishes the appeal procedure for parties who contract with the Maritime Subsidy Board or MARAD to seek redress for audit findings. We propose to: 1) update these audit procedures to reflect current MARAD practices and 2) rewrite the regulations in plain language. The intended effect of this rulemaking is to improve the utility and clarity of the regulations.**Timetable:**

Action	Date	FR Cite
NPRM	11/15/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Fred A. Slauch, Office of Financial Approvals andRates, Department of Transportation, Maritime Administration, Room 8117, MAR-560
Phone: 202 366-5866**RIN:** 2133-AB42**2844. • REMOVAL OF PART 207- STATISTICAL DATA FOR USE IN OPERATING-DIFFERENTIAL SUBSIDY APPLICATION HEARINGS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**Legal Authority:** 46 USC 1114; 46 USC 1171-1176**CFR Citation:** 46 CFR 207**Legal Deadline:** None**Abstract:** In this rulemaking, MARAD proposes to remove part 207 - Statistical Data for Use in Operating-Differential Subsidy Programs. We will eliminate this part because Congress withdrew MARAD's authority to grant ODS contracts and statutory changes of the Maritime Security Act of 1996 provided that a hearing process would no longer apply to the operating-differential subsidy program. The statistical data was used in hearings to determine if existing U.S.-flag service was adequate. Adequacy is no longer a criterion for granting ODS contracts.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

DOT—MARAD

Proposed Rule Stage

Government Levels Affected: None**Agency Contact:** Edmond J. Fitzgerald,
Director, Office of Subsidy andInsurance, Room 8117, Department of
Transportation, Maritime
Administration, MAR-780, 400 Seventh
Street SW., Washington, DC 20590

Phone: 202 366-2400

Fax: 202 366-7901

RIN: 2133—AB43**Department of Transportation (DOT)
Maritime Administration (MARAD)****Completed Actions****2845. PUTTING CUSTOMERS FIRST IN
THE TITLE XI PROGRAM: SHIP
FINANCING GUARANTEES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This
rulemaking is part of the Reinventing
Government effort. It will revise text in
the CFR to reduce burden or
duplication, or streamline
requirements.**Legal Authority:** 46 App USC 1114(b);
46 App USC 1271 et seq**CFR Citation:** 46 CFR 298; 49 CFR 1.66**Legal Deadline:** None**Abstract:** This action amends existing
regulations and simplifies existing
administrative practices governing the
following areas: 1) the ship financing
guarantee process; and 2) standards for
evaluation and approval of
applications. These changes should
make the entire process easier for
prospective applicants.**Timetable:**

Action	Date	FR Cite
ANPRM	02/17/98	63 FR 7744
ANPRM Comment Period End	03/19/98	
NPRM	08/13/99	64 FR 44152
NPRM Comment Period End	09/13/99	
Final Action	07/20/00	65 FR 45145

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Linda W. Reaves,
Financial Analyst, Department of
Transportation, Maritime
Administration, Room 8122, Office of
Ship Financing, 400 Seventh Street,
SW, Washington, DC 20590
Phone: 202 366-1899
Email: linda.reaves@marad.dot.gov**RIN:** 2133—AB32**2846. +ELIGIBILITY OF U.S.-FLAG
VESSELS OF 100 FEET OR GREATER
TO OBTAIN COMMERCIAL FISHERIES
DOCUMENTS****Priority:** Other Significant**Legal Authority:** 46 App USC 12102;
PL 105-277, sec 203**CFR Citation:** 46 CFR 356**Legal Deadline:** Final, Statutory, April
1, 2000.**Abstract:** The American Fisheries Act
of 1998 (AFA) raises the U.S.
ownership standards for U.S.-flag
fishing vessels operating in U.S. waters,
eliminates exemptions for vessels that
cannot meet current citizenship
standards, and phases out of operation
many of the largest fishing vessels that
are thought to be destructive to fishery
resources. This action implements
regulations for the AFA. The new
regulations for vessels of 100 feet or
greater (1) prohibit certain transfers of
ownership or control to noncitizens; (2)
identify transactions that will require
prior agency approval; and, (3) identify
transactions that will not require prior
agency approval. This rule is a
significant regulatory action because of
public and congressional interest.**Timetable:**

Action	Date	FR Cite
ANPRM	05/06/99	64 FR 24311
ANPRM Comment Period End	07/01/99	
NPRM	01/05/00	65 FR 645
NPRM Comment Period End	02/22/00	
Final Action	07/19/00	65 FR 44859

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses,
Organizations**Government Levels Affected:** None**Agency Contact:** John T. Marquez, Jr.,
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RIN: 2133—AB38**2847. APPEAL PROCEDURES FOR
DETERMINATIONS CONCERNING
COMPLIANCE WITH SERVICE
OBLIGATIONS, DEFERMENTS, AND
WAIVERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 46 App USC 1295; 49
CFR 1.66**CFR Citation:** 46 CFR 310**Legal Deadline:** None**Abstract:** The Maritime Administration
(MARAD) solicited public comment on
proposed revisions to the procedures
for reviewing (1) determinations that a
student or graduate of the U.S.
Merchant Marine Academy (USMMA)
or a State maritime academy that
receives student incentive payments
has breached the service obligation; (2)
denials of requests for deferment of the
service obligation; and, (3) denials of
requests for waivers of the service
obligation contract. The previous
regulations required review by a panel
composed of a representative of
MARAD and representatives from the
Department of the Navy, the National
Oceanic and Atmospheric
Administration (NOAA), and the
United States Coast Guard. The
amended regulations provide for an
appeal to the Maritime Administrator,
the head of the agency, rather than
review by the panel and are designed
to streamline the process of reaching
a final decision and to allow for timely
action on requests for review.**Timetable:**

Action	Date	FR Cite
NPRM	04/10/00	65 FR 18957
NPRM Comment Period End	05/10/00	
Final Action	06/27/00	65 FR 39556

**Regulatory Flexibility Analysis
Required:** No

DOT—MARAD

Completed Actions

Small Entities Affected: No**Government Levels Affected:** Federal**Agency Contact:** Jay Gordon, Attorney-Advisor, Department of Transportation,

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RIN: 2133-AB41

Department of Transportation (DOT)

Prerule Stage

Bureau of Transportation Statistics (BTS)

2848. MODERNIZING THE PASSENGER ORIGIN-DESTINATION SURVEY**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 41708; 49 USC 41709**CFR Citation:** 14 CFR 241**Legal Deadline:** None

Abstract: Historically, the source document for the Passenger Origin-Destination Survey was the auditor's coupon of the ticket. Until recently, these coupons provided all the information that was needed for the Survey. In the last few years, the carriers have begun using trip passes in conjunction with the tickets, thereby eliminating some of the data that is

required to be reported in the Survey. Other innovations used by the industry, such as change-of-gauge flights and code-sharing, have impacted the Survey and obscured some of the data that is required to be reported, such as change of planes and junction points. This rulemaking will explore whether there are alternative sources for the data and modernize the collection system to keep pace with the industry.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: This action is related to and may be affected by RIN 2105-AC71. It is now being administered by the Bureau of Transportation Statistics (BTS) since the Office of Aviation Information has been transferred to BTS from RSPA. (Formerly RIN 2137-AB92)

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RIN: 2139-AA01

Department of Transportation (DOT)

Proposed Rule Stage

Bureau of Transportation Statistics (BTS)

2849. AMENDMENT TO THE DEFINITIONS OF REVENUE AND NONREVENUE PASSENGERS**Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 329**CFR Citation:** 14 CFR 217; 14 CFR 241; 14 CFR 298**Legal Deadline:** None

Abstract: This action would revise definitions of revenue passenger and nonrevenue passenger. It would specify that a passenger traveling on a ticket or voucher received as compensation for denied boarding or as settlement of a consumer complaint is considered to

be a revenue passenger. The revised definitions will harmonize Departmental regulations with those adopted by the International Civil Aviation Organization (ICAO). This will prevent air carriers from being required to keep two sets of traffic enplanement statistics.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	11/00/00	
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 2139-AA07

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